

APELSCIDLA Board
TENTATIVE Agenda

December 16, 2021, 10:00 a.m.

Department of Professional & Occupational Regulation
9960 Mayland Drive
Richmond, Virginia 23233
804-367-8506

1. Call to Order
2. Emergency Evacuation
3. Announcements
4. Approval of Agenda
5. Approval of Minutes
 - APELSCIDLA Board Meeting, September 8, 2021
 - Land Surveyor Exam Committee Meeting, September 7, 2021
6. Public Comment
7. File Review
 - File Number 2021-00094 Warren Almquist
CO (Snetter) – Disciplinary
 - File Number 2021-00966 Jeffrey Keith
CO (Nair) – Disciplinary
 - File Number 2021-00604 Justin Shimp
IFF (Allen & Stone) – Disciplinary
 - File Number 2021-01167 Billy Joe Robbins
CO (Zmuda) – Disciplinary
8. Virginia Department of Small Business and Supplier Diversity Update
9. Landscape Architects
 - CLARB Update
 - i. California Architects Board Landscape Architects Technical Committee regarding CLARB Uniform Standards, letter dated September 17, 2021
 - ii. Annual Meeting, September 22-24, 2021
 - iii. CLARB/ASLA Web Licensure Summit, new date December 8, 2021 3pm
10. Professional Engineers
 - NCEES Update

i. Annual Virtual Business Session September 15, 2021, 12-5pm

11. Land Surveyors

- State Specific Exam Changes
- NCEES Update
- Virginia Association of Surveyors Convention, September 14-18, 2021
 - i. Land Surveyors and Executive Director Presentation September 17, 2021, 1-3pm

12. Architects

- AIA
 - i. Architectural Exchange East 2021 November 1-5, 2021
 - ii. Annual Membership Meeting November 3, 2021
- NCARB Update
 - i. MBE Workshop March 3, 2022
 - ii. Regional Summit March 4-5, 2022
 - iii. Annual Business Meeting June 2-4, 2022

13. Certified Interior Designers

- CIDQ Update
 - i. Annual Meeting November 12-13, 2021
 - ii. Annual Report
 - iii. Q Connection 4th Quarter Fall 2021

14. Regulatory Update – New Regulations effective December 1, 2021

- Regulatory Review Committee

15. Business Agreement Updates

16. CE Waiver Updates

17. Licensed and Certified Population

18. Financial Statements

19. Other Business

20. Conflict of Interest and Travel Vouchers

21. Adjourn

NEXT MEETING SCHEDULED FOR February 9, 2021

Agenda materials available to the public do not include disciplinary case files or application files pursuant to §54.1-108 of the Code of Virginia.

**Five minute public comment, per person, with the exception of any open disciplinary or application files.*

Persons desiring to participate in the meeting and requiring special accommodations or interpretative services should contact the Department at (804) 367-8514 at least ten days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department fully complies with the Americans with Disabilities Act.

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- **Call to Order**
- **Emergency Evacuation**
- **Announcements**

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BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND
SURVEYORS, CERTIFIED INTERIOR DESIGNERS AND LANDSCAPE
ARCHITECTS MEETING MINUTES

The Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA Board) met on September 8, 2021, at 10:00 a.m. Board staff was present at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia 23233.

The following members were present for all or part of the meeting:

Architects

Tim Colley
April Drake
Mel Price

Professional Engineers

James Kelly
Christopher Stone

Land Surveyors

Doyle Allen
Vickie Anglin
Mike Zmuda

Interior Designers

Caroline Alexander

Landscape Architects

Ann Stokes

Citizen Members

Karen Reynes

Hypatia Alexandria, Frank Hancock, Cameron Stiles, and Vinay Nair were not present at the meeting.

Staff present for all or part of the meeting were:

Mary Broz-Vaughan, Director
Kathleen (Kate) R. Nosbisch, Executive Director
Bonnie Davis, Administrative Assistant
Michelle Couch, Lead Analyst, Complaint Analysis and Resolution
Matthew Ross, Licensing Specialist, Post Adjudication and Licensing

Members of the audience:

Georg Dahl, Virginia Society of Professional Engineers (VSPE) STEM and Educational Outreach Lead for Tidewater/Hampton Roads Chapter
Nancy Israel, Executive Director, ACEC Virginia
Ellen R. Vallerie, Applicant
Pedram Foushanji, Applicant

Elizabeth Peay, Assistant Attorney General with the Office of the Attorney General, was not present with regrets.

Finding a quorum of the Board present, Ms. Stokes, Chair, called the meeting to order at 10:11 a.m.

Call to Order

Ms. Stokes advised the Board of the emergency evacuation procedures for staff on site.

Emergency Evacuation

Ms. Stokes welcomed April Drake, newly appointed architect. She stated Ms. Anglin who filled an unexpired term was reappointed to her first four year term. Ms. Stokes also informed the board that she and Mr. Kelly were reappointed for a second four year term. Board members offered congratulations to Ms. Drake, Ms. Anglin, Mr. Kelly and Ms. Stokes.

Announcements

Ms. Nosbisch stated Ms. Alexandria, Mr. Hancock, Ms. Stiles, and Mr. Nair send their regrets.

Ms. Price moved to approve the agenda as presented. Mr. Stone seconded the motion which was unanimously approved by: Alexander, Allen, Anglin, Colley, Drake, Kelly, Price, Reynes, Stokes, Stone, and Zmuda.

Approval of Agenda

Mr. Stone moved to approve the June 22, 2021, Board meeting minutes, the July 29, 2021, the August 3, 2021, the August 10, 2021 and the August 24, 2021 Land Surveyor Exam Committee meeting minutes. Mr. Allen seconded the motion which was approved by: Alexander, Allen, Anglin, Colley, Kelly, Price, Reynes, Stokes, Stone, and Zmuda. Ms. Drake abstained.

Approval of Minutes

Mr. Dahl with Virginia Society of Professional Engineers (VSPE) stated VSPE has been offering continuing education courses via Lunch and Learn sessions. He also stated that Brad Tazewell, a well-known architect of Norfolk passed away last week.

Public Comment Period

Mr. Kelly recused himself from the meeting for discussion and deliberation of the file.

Recusal of BoardMember

Regarding **File Number 2021-00835, William Channing Blackwell**, the Board members reviewed the Consent Order as seen and agreed to by Mr. Blackwell.

File Number 2021-00835, William Channing Blackwell

Mr. Stone moved to accept the Consent Order which cites the following violation of the Board's regulations: 18VAC10-20-740.B.4 (Count 1), 18VAC10-20-740.F (Count 2), and 18VAC10-20-760.A.1 (Count 3). For these violations, Mr. Blackwell

agrees to pay the following monetary penalties: \$500.00 for the violation contained in Count 1; \$500.00 for the violation contained in Count 2; \$1,000.00 for the violation contained in Count 3 and \$150.00 in Board costs, for a total monetary penalty of \$2,150.00. In addition, for Counts 1 and 2, Mr. Blackwell agrees to complete at least two (2) classroom hours of continuing education pertaining to Engineering Ethics approved by the Board and to provide proof of attendance and successful completion within six (6) months of the order date. Mr. Allen seconded the motion which was unanimously approved by members: Alexander, Allen, Anglin, Colley, Drake, Price, Reynes, Stokes, Stone, and Zmuda. As the presiding Board member, Mr. Kelly was not present for the discussion or vote.

The Board agreed by consensus that due to limited classroom instruction because of COVID, online CE will be acceptable in consent orders and IFFs until further notice.

Online CE
Acceptable for
Disciplinary
Actions

Regarding **File Number 2021-01216, Ellen Rose Vallerie** was present to address the Board. The Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the application file, transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference. Mr. Stone moved to accept the recommendation of the presiding officer and approve Ms. Vallerie's application for professional engineer by exam. Ms. Price seconded the motion which was unanimously approved by members: Alexander, Allen, Anglin, Colley, Drake, Price, Reynes, Stokes, Stone, and Zmuda. As the presiding Board member, Mr. Kelly was not present for the discussion or vote.

File Number
2021-01216,
Ellen Rose
Vallerie

Mr. Kelly returned to the meeting, and Mr. Stone recused himself from the meeting for discussion and deliberation of the files.

Return of
Board Member

Regarding **File Number 2021-02009, Serghei Malcov**, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the application file, transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference. Mr. Allen moved to accept the recommendation of the presiding officer and deny Mr. Malcov's application for professional engineer by exam. Mr. Kelly seconded the motion which was unanimously approved by members: Alexander, Allen, Anglin, Colley, Drake, Kelly, Price, Reynes, Stokes, and Zmuda. As the presiding Board member, Mr. Stone was not present for the discussion or vote.

File Number
2021-02009,
Serghei Malcov

Regarding **File Number 2021-02011, Oneil Richard Clarke**, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the application file, transcripts and exhibits, and the Summary of the Informal Fact-

File Number
2021-02011,
Oneil Richard

Finding Conference. Mr. Kelly moved to accept the recommendation of the presiding officer and deny Mr. Clarke's application for professional engineer by exam. Mr. Zmuda seconded the motion which was unanimously approved by members: Alexander, Allen, Anglin, Colley, Drake, Kelly, Price, Reynes, Stokes, and Zmuda. As the presiding Board member, Mr. Stone was not present for the discussion or vote.

Clarke

Regarding **File Number 2021-02012, Pedram Foushanji** was present to address the Board. The Board members the record of the Informal Fact-Finding Conference, which consisted of the application file, transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference. Ms. Anglin moved to accept the recommendation of the presiding officer and approve Mr. Foushanji's application for engineer in training designation. Ms. Price seconded the motion which was unanimously approved by members: Alexander, Allen, Anglin, Colley, Drake, Kelly, Price, Reynes, Stokes, and Zmuda. As the presiding Board member, Mr. Stone was not present for the discussion or vote.

File Number
2021-02012,
Pedram
Foushanji

Mr. Stone returned to the meeting.

Return of
Board Member

Regarding **File Number 2021-02168, Abdulrazak Adomo Ogun**, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the application file, transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference. Mr. Kelly moved to accept the recommendation of the presiding officer and approve Mr. Ogun's application for architect by comity. Mr. Stone seconded the motion which was unanimously approved by members: Alexander, Allen, Anglin, Colley, Drake, Kelly, Price, Reynes, Stokes, Stone, and Zmuda. As the presiding Board member, Ms. Snetter was not present for the discussion or vote.

File Number
2021-02168,
Abdulrazak
Adomo Ogun

Ms. Stokes read the resolution for consideration by the Board:

Resolution
Christine
Snetter

Resolution for
Christine Snetter

WHEREAS, Christine Snetter, did faithfully and diligently serve the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects from 2013 to 2021;

WHEREAS, Christine Snetter, did devote generously of her time, talent and leadership to the Board;

WHEREAS, Christine Snetter, did endeavor at all times to render decisions with

fairness and good judgement in the best interest of the citizens of the Commonwealth and these professions; and

WHEREAS, the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects wishes to acknowledge its gratitude for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth;

NOW THEREFORE BE IT RESOLVED, by the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects this eighth day of September 2021, that Christine Snetter be given all honors and respect due her for her outstanding service to the Commonwealth and its citizens; and

BE IT FURTHER RESOLVED, that this Resolution be presented to her and be made a part of the official minutes of the Board so that all may know of the high regard in which she is held by this Board.

The Board members agreed to the resolution by consensus and congratulated and thanked Ms. Snetter for her service.

At the June 22, 2021 APELSCIDLA board meeting, Mr. Stone stated that over 40% of the Virginia Department of Small Business and Supplier Diversity website lists businesses that are not registered with the Department of Professional and Occupational Regulation (DPOR). Ms. Nobsisch contacted the Interim Director, Jennifer Mayton, and requested a clarifying statement be added to the website. Ms. Mayton was agreeable. Mr. Stone moved to approve the language as: Inclusion on this list indicates the individual or business is SWAM certified. It does not verify the individual is licensed or the business is registered by the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects as required by Code. Please visit www.DPOR.Virginia.gov and click on License Lookup to verify licensure.

Mr. Colley seconded the motion which was unanimously approved by: Alexander, Allen, Anglin, Colley, Drake, Kelly, Price, Reynes, Stokes, Stone, and Zmuda.

Ms. Nobsisch stated CLARB held a Public Member meeting on July 14 and 21st. Ms. Alexandria and Ms. Reynes attended. There was a CLARB Regional meeting on August 12, 2021. Ms. Nobsisch stated that all national organizations are pushing towards a universal application. There is a CLARB Annual meeting on September 22-24th and she and Ms. Stokes will be attending the meeting virtually.

Ms. Nobsisch stated there was a NCEES Board Administrators meeting on July 29th.

**Virginia
Department of
Small Business
and Supplier
Diversity
Update**

**Landscape
Architect
Section Update**

Professional

The NCEES annual meeting on August 19-20th has been cancelled. There was a virtual NCEES State of the Council meeting on September 8th and the annual virtual Business Session was moved to September 15th. Mr. Allen will be the voting delegate and he, Mr. Kelly and Ms. Nosbisch will be attending the virtual meeting.

**Engineer
Section Update**

Ms. Nosbisch stated she appreciates the Land Surveyors efforts on the State Specific Exam. She stated Mr. Allen has been appointed to the NCEES Exam Audit Committee. The Virginia Association of Surveyors Convention is September 14-18th. Ms. Nosbisch and the Land Surveyors will provide a presentation on September 17th from 1-3pm.

**Land Surveyor
Section Update**

Ms. Nosbisch was assigned to the NCARB Diversity Workforce Collaborative which met on August 12th. She also participated in a Diversity Focus Group on September 1st. Due to increasing COVID numbers, the NCARB Region 2 Student Educator Practitioner scheduled for October 14-15th has been rescheduled to September 29-30, 2022. Ms. Nosbisch informed the Board the NCARB transition to PSI will begin in early 2022 and there will be a remote testing option.

**Architect
Section Update**

Ms. Nosbisch stated that CIDQ will be allowing remote proctoring in the fall for the IDFX and the IDPX exam sections. They have been collecting race and ethnicity on applicants to increase efforts of diversity. They have also been working with an inter-organizational task force to develop recommendations for collective DEI actions for the interior design profession. The CIDQ annual meeting is November 12-13th and attendees have an in-person or virtual option. Requests will be submitted for Ms. Stiles and Ms. Alexander to attend the meeting virtually.

**Certified
Interior
Designer
Section Update**

Ms. Nosbisch stated that the new regulations were effective September 2, 2021. She stated the proposed fee increase NOIRA is still in process. Ms. Broz-Vaughan stated that due to marijuana conviction changes in legislation, the language in the new regulations needs to be adjusted to exclude misdemeanor marijuana drug convictions and this can be accomplished by an exempt regulatory action if filed within 90 days of enactment.. Mr. Stone moved that an exempt action be filed to make the necessary changes. Mr. Zmuda seconded the motion which was unanimously approved by: Alexander, Allen, Anglin, Colley, Drake, Kelly, Price, Reynes, Stokes, Stone, and Zmuda.

**Regulatory
Update – New
Regulations
effective
Septemer 2,
2021**

Ms. Nosbisch reported there were no business entities issued a Business Agreement for Registration.

**Business
Agreement
Updates**

There were no requests for waiver of continuing education.

CE Waiver

Updates

The licensee counts as of August 1, 2021:

APELSCIDLA Businesses	4,845
Architects	7,612
Professional Engineers	29,913
Land Surveyors	1,227
Land Surveyors B	69
Land Surveyor Photogrammetrists	106
Certified Interior Designers	474
Landscape Architects	937

**Licensed and
Certified
Population**

Ms. Nobsch stated the financial statements were provided for informational purposes.

**Financial
Statements**

The Board reviewed the letter from Mr. Matthew Arnold, Architect, his concern regarding Regulation 18VAC10-20-760. After discussion, the Board agreed by consensus that no changes to regulation are required at this time and to take no action. Further, the matter of Mr. Arnold indicating his seal was compromised in the 1980s is a criminal matter.

Other Business

Conflict of Interest forms and Travel Vouchers were completed by all Board members present.

**Conflict of
Interest Forms /
Travel
Vouchers**

The Board recessed from 11:16 a.m. to 11:31 a.m.

Recess

Board members participated in mandatory Conflict of Interest Act training.

**Conflict of
Interest Act
Training**

There being no further business, the meeting was adjourned at 12:16 p.m.

Adjourn

Ann Stokes, Chair

Mary Broz-Vaughan, Secretary

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LAND SURVEYORS EXAM COMMITTEE

MINUTES

The Land Surveyors Exam Committee of the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects met on September 7, 2021, at the Department of Professional and Occupational Regulation, 9960 Mayland Dr., Richmond, Virginia, to discuss exam issues, with the following members present:

Board members present for the meeting were:

Doyle Allen (LS)
Vickie Anglin (LS)
Mike Zmuda (LS)

Agency staff present for the meeting was:

Bradley Thompson, Test Development Specialist for PSI Services

Ms. Anglin called the meeting to order at 1:00 p.m.

Call to Order

Public Comment Period – No comments were made to the Section members.

Public Comment Period

At 1:30 p.m., Ms. Anglin moved that the meeting be recessed and that the Committee immediately reconvene in closed meeting for the purpose of consultation pertaining to examination issues within the jurisdiction of the Board as permitted by §2.2-3711.A.11 of the *Code of Virginia*. This motion was made with respect to the matters identified as exam review. Mr. Zmuda seconded the motion which was unanimously approved by members: Allen, Anglin, and Zmuda.

Closed Meeting

At 2:34 p.m., Ms. Anglin moved to adjourn the closed meeting and to immediately reconvene in open meeting. Mr. Zmuda seconded the motion which was unanimously approved by members: Allen, Anglin, and Zmuda.

Open Meeting

CERTIFICATION OF CLOSED MEETING

Certification of Closed Meeting

WHEREAS, the Land Surveyors Exam Committee of the APELSCIDLA Board has convened a closed meeting on this date pursuant to an affirmative recorded vote, and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, §2.2-3712 of the Code of Virginia requires a certification by the Land Surveyors Exam Committee of the APELSCIDLA Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Land Surveyors exam Committee of the APELSCIDLA Board hereby certifies that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open session requirements by Virginia law were discussed in the closed meeting to which the certification applies, and (II) only such business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Land Surveyors Exam Committee of the APELSCIDLA Board.

VOTE: 3-0
AYES: Allen, Anglin, and Zmuda

NAYS: 0
ABSENT FROM MEETING: 0

Conflict of Interest forms were completed by all members present.

**Conflict of
Interest Forms**

There being no further business, the meeting was adjourned at 2:37 p.m.

Adjourn

Vickie Anglin, Section Chair

Mary Broz-Vaughan, Secretary

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➤ **Public Comment**

➤ **File Review**

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Davis, Bonnie <bonnie.davis@dpor.virginia.gov>

Fwd: Statement regarding licensure on your website

1 message

Nosbisch, Kathleen <kate.nosbisch@dpor.virginia.gov>
To: Bonnie Davis <bonnie.davis@dpor.virginia.gov>

Wed, Sep 29, 2021 at 10:27 PM

The APELS board meeting folder please and thank you!
Kate

----- Forwarded message -----

From: **Mayton, Jennifer** <jennifer.mayton@sbsd.virginia.gov>
Date: Wed, Sep 29, 2021 at 4:49 PM
Subject: Re: Statement regarding licensure on your website
To: Nosbisch, Kathleen <kate.nosbisch@dpor.virginia.gov>

Kate,

Our lawyers have approved the following message which we will add to our website on the Directory page:

DSBSD's directory listing for a vendor is not a confirmation or endorsement by DSBSD that the listed vendor meets any or all potentially required state, local, profession or trade-specific licensing or registration requirements for performing specific services that may be listed in the directory. Potential customers must perform their own due diligence to confirm the vendor is qualified to perform the specific services for which the vendor is hired.

Thanks,

Jennifer

Jennifer L. Mayton, VCO, CGFM
Interim Agency Director
Virginia Department of Small Business and Supplier Diversity (DSBSD)
101 N. 14th Street, 11th Floor
Richmond, VA 23219
(m) 804.593.2007
(f) 804.786.9736
website: www.sbsd.virginia.gov

On Mon, Sep 13, 2021 at 7:52 PM Nosbisch, Kathleen <kate.nosbisch@dpor.virginia.gov> wrote:

Thank you, Jennifer!
Stay well,
Kate

On Mon, Sep 13, 2021 at 5:45 PM Mayton, Jennifer <jennifer.mayton@sbsd.virginia.gov> wrote:
Kathleen,

I will need to have our legal team review it before we post it. I will let you know once it is up.

Thanks,

Jennifer

Jennifer L. Mayton, VCO, CGFM

Interim Agency Director
Virginia Department of Small Business and Supplier Diversity (DSBSD)
101 N. 14th Street, 11th Floor
Richmond, VA 23219
(m) 804.593.2007
(f) 804.786.9736
website: www.sbsd.virginia.gov

On Fri, Sep 10, 2021 at 10:25 AM Nosbisch, Kathleen <kate.nosbisch@dpor.virginia.gov> wrote:
Hi Jennifer,

Thank you for your time on Tuesday. The Board appreciates the opportunity to add a statement to your website and approved the following language:

Inclusion on this list does not verify the individual is licensed or the business is registered by the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA) as required by §54.1-400 of the Code of Virginia. Please visit <https://www.dpor.virginia.gov/> and click on **License Lookup to verify licensure and registration.**

Would you let me know when this statement has been added so I can inform the Board? Again thank you for your willingness to collaborate with the Board to ensure the public is adequately informed.

**Best wishes for a safe and pleasant weekend,
Kate**

--

Kate Nosbisch, Hon. AIA Virginia

Kathleen R. Nosbisch

Executive Director

Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA)

[APELSCIDLA Centennial Book 1920-2020](#)

Athlete Agent Registration Program

Auctioneers Board

Board for Branch Pilots

Board for Professional and Occupational Regulation

Board for Professional Soil Scientists, Wetland Professionals, and Geologists

Boxing, Martial Arts and Professional Wrestling Advisory Board

SERVICE START TO FINISH

 DPOR logo - full color

[9960 Mayland Dr.](#)

[Suite 400](#)

➤ **Landscape Architects**

○ **CLARB Update**

- **Annual Meeting, September 22-24, 2021**
- **CLARB/ASLA Web Licensure Summit, new date December 8, 2021, 3pm**

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September 17, 2021

Mr. Cary Baird, President
Council of Landscape Architectural Registration Boards
1840 Michael Faraday Drive, Suite 200
Reston, Virginia 20190

RE: CLARB Uniform Standards

Dear Mr. Baird:

I am writing you on behalf of the Landscape Architects Technical Committee (LATC) to encourage the Council of Landscape Architectural Registration Boards (CLARB) to consider the following comments regarding the Uniform Standards that were introduced during the CLARB Regional meetings on August 12, 2021.

The standards identify two pathways to licensure; one with a Landscape Architectural Accreditation Board (LAAB)/Landscape Architecture Accreditation Council (LAAC) accredited landscape architecture degree, 2 years of experience, and passage of the Landscape Architect Registration Examination (LARE); and the second pathway presented as 8 years of experience which can include other educational certification/institutions up to two years and passage of the LARE. The second pathway would be more restrictive than California's proposed 6 years of experience for an experience-only pathway. Furthermore, CLARB's uniform procedures recommend allowing candidates with an accredited degree to sit for all sections of the LARE prior to obtaining practical experience, a procedure California strongly opposes. The experience component exposes candidates to the breadth of the profession and important health, safety, and welfare issues. LATC feels that experience prior to examination supports competency, reduces potential liabilities and ultimately increases public protection.

During their August 4, 2021 meeting, LATC further discussed proposed CLARB Uniform Standards Options with a focus on identifying possible discrepancies between the proposed options and existing California law. It was noted that all four options announced by CLARB at that time, do not align with existing California law which requires candidates to document qualifying education and/or training experience credit and obtain pre-approval by the LATC prior to sitting for any section of the LARE.

LATC would like to take this opportunity to remind CLARB and CLARB Member Boards of the current examination prerequisites of California. California candidates must verify at least two years (3,000 hours) of qualifying training experience credit as outlined in California Code of Regulations section 2620 (Education and Training Credits) prior to sitting for LARE sections 3 (Design) and 4 (Grading, Drainage and Construction Documentation).

Additionally, the findings of a recent analysis conducted by the California Department of Consumer Affairs, Office of Professional Examination Services (OPES) were presented at the

August 4 LATC meeting. OPES reviewed 2018-2020 LARE pass rates to identify any notable discrepancies between section pass rates of California candidates and national averages. Further data collection and analysis is required and will be discussed at a future LATC meeting.

The September 21-24, 2021 CLARB Annual Meeting agenda includes discussing implementation of the standards “rolled out” during the regional meetings. Having now had the time to review and understand the proposed changes, we hope CLARB will give these concerns thorough consideration.

Sincerely,



JON WRESCHINSKY
Chair

cc: Matthew M. Miller, CLARB Chief Executive Officer
CLARB Member Board Members
CLARB Member Board Executives

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➤ **Professional Engineers**

○ **NCEES Update**

➤ **Annual Virtual Business
Session, September 15, 2021
12-5pm**

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➤ **Land Surveyors**

- **State Specific Exam Changes**
- **NCEES Update**
- **Virginia Association of Surveyors Convention, September 14-18, 2021**

➤ **Land Surveyors Executive Director Presentation**

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➤ **Architects**

○ **AIA**

- **Architectural Exchange East,
November 1-5, 2021**
- **Annual Membership Meeting,
November 3, 2021**

○ **NCARB Update**

- **MBE Workshop, March 3, 2022**
- **Regional Summit, March 4-5,
2022**
- **Annual Business Meeting,
June 2-4, 2022**

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➤ **Certified Interior Designers**

○ **CIDQ Update**

- **Annual Meeting, November 12-13, 2021**
- **Annual Report**
- **Q Connection**

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➤ Regulatory Update

- **Regulatory Review Committee**

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Project 6968 - Exempt Final

Board For Architects, Professional Engineers, Land Surveyors, Certified Interior Designers And Landscape Architects

Amendments to Incorporate Changes from Marijuana Legalization

18VAC10-20-10. Definitions.

Section 54.1-400 of the Code of Virginia provides definitions of the following terms and phrases as used in this chapter:

Architect

Board

Certified interior designer

Interior design. When used in this chapter, interior design shall only be applicable to interior design performed by a certified interior designer.

Land surveyor. When used in this chapter, land surveyor shall include surveyor photogrammetrist unless stated otherwise or the context requires a different meaning.

Landscape architect

Practice of architecture

Practice of engineering

Practice of land surveying

Practice of landscape architecture

Professional engineer

The following words, terms, and phrases when used in this chapter shall have the meanings ascribed to them except where the context clearly indicates or requires different meanings:

"Application" means a completed application with the appropriate fee and any other required documentation including references, experience verification, degree verification, and verification of examination and licensure or certification.

"Comity" means the recognition of licenses or certificates issued by other states or other jurisdictions of the United States as permitted by § 54.1-103 C of the Code of Virginia.

"Department" means the Department of Professional and Occupational Regulation.

"Direct control and personal supervision" means supervision by a professional who oversees and is responsible for the work of another individual.

"Good moral character" may be established if the applicant or regulant:

1. Has not been convicted of a non-marijuana misdemeanor in the last 10 years or has ever been convicted of a felony that would render the applicant unfit or unsuited to engage in the occupation or profession applied for in accordance with § 54.1-204 of the Code of Virginia;
2. Has not committed any act involving dishonesty, fraud, misrepresentation, breach of fiduciary duty, negligence, or incompetence reasonably related to:
 - a. The proposed area of practice within 10 years prior to application for licensure, certification, or registration; or
 - b. The area of practice related to licensure, certification, or registration by the board while under the authority of the board;
3. Has not engaged in fraud or misrepresentation in connection with the application for licensure, certification, or registration, or related exam;
4. Has not had a license, certification, or registration revoked or suspended for cause or been disciplined by the Commonwealth or by any other jurisdiction, or surrendered or has surrendered a license, certificate, or registration in lieu of disciplinary action; or
5. Has not practiced without the required license, registration, or certification in the Commonwealth or in another jurisdiction within the five years immediately preceding the filing of the application for licensure, certification, or registration by the Commonwealth.

"Good standing" means that the regulant holds a current or active license, certificate, or registration issued by any regulatory body that is not subject to a current sanction. The regulant shall be in good standing in every jurisdiction where licensed, certified, or registered.

"Place of business" means any location that, through professionals, offers or provides the services of

architecture, engineering, land surveying, landscape architecture, interior design, or any combination thereof. A temporary field office established and utilized for the duration of a specific project shall not qualify as a place of business under this chapter.

"Profession" means the practice of architecture, engineering, land surveying, landscape architecture, or interior design.

"Professional" means an architect, professional engineer, land surveyor, landscape architect, or certified interior designer who holds a license or certificate issued by the board pursuant to the provisions of this chapter and is in good standing with the board to practice his profession in the Commonwealth.

"Registrant" means a business holding a registration issued by the board and in good standing to offer or provide one or more of the professions regulated by the board.

"Regulant" means an architect, professional engineer, land surveyor, or landscape architect holding a license issued by the board and is in good standing; a certified interior designer holding a valid certification issued by the board and is in good standing; or a registrant.

"Resident" means physically present at the place of business a majority of its operating hours.

"Responsible person" means the professional named by the registrant to be responsible and have control of the registrant's regulated services offered, rendered, or both. A professional can only be the responsible person for the profession indicated on his licenses or certifications.

"Surveyor photogrammetrist" means a person who by reason of specialized knowledge in the area of photogrammetry has been granted a license by the board to survey land in accordance with Chapter 4 (§ 54.1-400 et seq.) of Title 54.1 of the Code of Virginia for the determination of topography, contours, or location of planimetric features using photogrammetric methods or similar remote sensing technology.

18VAC10-20-790. Sanctions.

A license, certificate, or registration shall not be sanctioned unless a majority of the eligible voting members of the entire board vote for the action. The board may discipline or sanction any regulant if the board finds that:

1. The regulant failed to maintain good moral character pursuant to the definition in 18VAC10-20-10;
2. The license, certification, or registration was obtained or renewed through fraud or misrepresentation;
3. The regulant has been found guilty by a court of competent jurisdiction of any material misrepresentation in the course of professional practice or has been convicted, pleaded guilty, or has been found guilty, regardless of adjudication or deferred adjudication, of any felony or non-marijuana misdemeanor that, in the judgment of the board, adversely affects the regulant's ability to perform satisfactorily within the regulated discipline. The board shall review the conviction pursuant to the provisions of § 54.1-204 of the Code of Virginia;
4. The regulant has committed acts constituting professional incompetence, negligence, or gross negligence;
5. The regulant has abused drugs or alcohol to the extent that professional competence is adversely affected;
6. The regulant fails to comply, or misrepresents any information pertaining to their compliance, with any of the continuing education requirements as contained in this chapter;
7. The regulant violates any standard of practice and conduct as defined in this chapter;
8. The regulant violates or induces others to violate any provision of Chapters 7 (§ 13.1-542.1 et seq.) and 13 (§ 13.1-1100 et seq.) of Title 13.1 or Chapters 1 (§ 54.1-100 et seq.) through 4 (§ 54.1-400 et seq.) of Title 54.1 of the Code of Virginia, or any other statute applicable to the practice of the professions regulated by this chapter;
9. The regulant has been disciplined by any county, city, town, state, or federal governing body. For purposes of this section "discipline" means reprimand; civil or monetary penalty; probation, suspension, or revocation of a license; or cease and desist order. The board will review such discipline before taking any disciplinary action of its own; or
10. The regulant fails to notify the board within 30 days of having been disciplined by any county, city, town, state, or federal governing body as stipulated in subdivision 9 of this section.

- **Business Agreements Update**
- **CE Waiver Update**
- **Licensed and Certified Population**

As of December 1, 2021

APELSCIDLA Businesses	4,978
Architects	7,573
Professional Engineers	29,960
Land Surveyors	1,228
Land Surveyors B	68
Land Surveyor Photogrammetrists	104
Certified Interior Designers	471
Landscape Architects	933

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DRAFT AGENDA

**Department of Professional and Occupational Regulation
Statement of Financial Activity
Board for APELSCIDLA
954160**

2020-2022 Biennium

October 2021

	October 2021 Activity	Biennium-to-Date Comparison	
		July 2018 - October 2019	July 2020 - October 2021
Cash/Revenue Balance Brought Forward			122,298
Revenues	94,555	2,242,430	2,190,887
Cumulative Revenues			2,313,185
Cost Categories:			
Board Expenditures	9,263	191,226	198,580
Board Administration	54,376	912,672	876,729
Administration of Exams	3,525	54,275	52,262
Enforcement	5,508	98,692	79,929
Legal Services	-	3,555	8,062
Information Systems	42,051	708,022	630,818
Facilities and Support Services	12,894	239,940	233,364
Agency Administration	29,774	413,332	401,580
Other / Transfers	-	(34)	-
Total Expenses	157,392	2,621,681	2,481,324
Transfer To/(From) Cash Reserves	(37,481)	0	(173,217)
Ending Cash/Revenue Balance			5,078

Cash Reserve Beginning Balance	1,517,024	0	1,652,759
Change in Cash Reserve	(37,481)	0	(173,217)
Ending Cash Reserve Balance	1,479,543	0	1,479,543

Number of Regulators	
Current Month	45,351
Previous Biennium-to-Date	44,472

Department of Professional and Occupational Regulation
Supporting Statement of Year-to-Date Activity
Board for APELSCIDLA - 954160
Fiscal Year 2022

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Fiscal YTD Charges	Planned Annual Charges	Current Balance	Projected Charges at 6/30	Projected Variance Favorable (Unfavorable)	
																	Amount	%
Board Expenditures	10,320	22,251	9,624	9,263	0	0	0	0	0	0	0	0	51,458	191,920	140,462	145,273	46,647	24.3%
Board Administration	83,652	57,012	54,744	54,376	0	0	0	0	0	0	0	0	249,784	886,923	637,139	642,699	244,224	27.5%
Administration of Exams	5,139	3,535	3,520	3,525	0	0	0	0	0	0	0	0	15,718	47,560	31,842	41,417	6,143	12.9%
Enforcement	7,684	5,236	5,441	5,508	0	0	0	0	0	0	0	0	23,870	83,869	59,999	62,025	21,843	26.0%
Legal Services	0	1,921	1,921	0	0	0	0	0	0	0	0	0	3,842	7,684	3,842	11,526	-3,842	-50.0%
Information Systems	24,043	64,929	35,165	42,051	0	0	0	0	0	0	0	0	166,189	516,251	350,062	474,987	41,264	8.0%
Facilities / Support Svcs	18,731	15,055	13,132	12,894	0	0	0	0	0	0	0	0	59,812	214,779	154,967	172,088	42,692	19.9%
Agency Administration	36,156	24,957	23,129	29,774	0	0	0	0	0	0	0	0	114,016	435,714	321,697	297,302	138,411	31.8%
Other / Transfers	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Charges	185,724	194,897	146,677	157,392	0	0	0	0	0	0	0	0	684,689	2,384,699	1,700,010	1,847,317	537,382	22.5%

- **Other Business**
- **Conflict of Interest Forms /
Travel Vouchers**
- **Adjourn**

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