

OFFICE OF THE SECRETARY OF STATE  
BEV CLARNO  
SECRETARY OF STATE  
JEFF MORGAN  
INTERIM DEPUTY SECRETARY OF STATE



ARCHIVES DIVISION  
STEPHANIE CLARK  
DIRECTOR  
800 SUMMER STREET NE  
SALEM, OR 97310  
503-373-0701

**NOTICE OF PROPOSED RULEMAKING**  
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 804  
LANDSCAPE ARCHITECT BOARD

**FILED**  
11/18/2020 1:48 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE

FILING CAPTION: Streamlining and Housekeeping Amendments to OSLAB (Board) Examination-Related Rules

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 01/11/2021 5:00 PM

*The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.*

CONTACT: Christine Valentine      707 13th St. SE  
503-589-0093      Suite 114  
oslab.info@oregon.gov      Salem, OR 97301

Filed By:  
Christine Valentine  
Rules Coordinator

HEARING(S)

*Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.*

DATE: 01/11/2021

TIME: 10:00 AM - 10:30 AM

OFFICER: Christine Valentine

ADDRESS: Association Center (or  
virtual)

707 13th St. SE

Suite 114

Salem, OR 97301

SPECIAL INSTRUCTIONS:

Due to COVID-19 and related restrictions, this hearing may instead be held via conference call or as a videoconference. Visit the Board website or contact the Board office prior to the hearing date to check on the hearing format and participation details. Public comment can be submitted in writing instead of at the hearing.

NEED FOR THE RULE(S):

The Board has determined that it is appropriate to streamline the examination process for those candidates that have completed an accredited degree in landscape architecture. The Board is also attending to housekeeping amendments at the same time.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

Statistics about Board approvals to sit for examination, information about how other state licensure boards for landscape architecture handle the examination process, input from Board counsel, and Board meeting minutes. Documents are available via the Board office.

---

**FISCAL AND ECONOMIC IMPACT:**

The Board does not anticipate any negative fiscal or economic impacts on any individuals or businesses. The majority of future candidates for the examination required for landscape architect registration will no longer be required to obtain Board approval to sit for examination, thereby saving these candidates money and time.

---

**COST OF COMPLIANCE:**

*(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).*

(1) The proposed amendments do not apply to state agencies, local governments, or most members of the public. The rules only apply to individuals looking to sit for the examination required for landscape architect registration. For the majority of those individuals, the proposed changes will have a positive economic impact by saving them money and time.

(2) The Board does not anticipate any negative impacts on small businesses.

(a) These rules do not directly apply to any small businesses. The rules apply only to individuals looking to sit for the examination required for landscape architect registration. For the majority of those individuals, the proposed amendments will save them money and time. If those individuals are employees of or are running small businesses, then the amendments should have a positive economic impact on those small businesses.

(b) The proposed amendments do not to create any new reporting, record keeping, or administrative activities or costs.

(c) The proposed amendments do not create any new costs for professional services, equipment supplies, labor, or administration.

---

**DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):**

The draft rule amendments were consider by Board members as well as the members of the Board's Administrative Rules Committee. Some of these individuals have experience running or working for small businesses.

---

**WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES**

---

**RULES PROPOSED:**

804-010-0000, 804-010-0010, 804-010-0020, 804-020-0001, 804-020-0003, 804-020-0005, 804-020-0010, 804-020-0015, 804-020-0030, 804-020-0045

AMEND: 804-010-0000

RULE SUMMARY: This rule sets the Board's basic education requirement to sit for the required examination in landscape architecture.

**CHANGES TO RULE:**

804-010-0000

Examination Qualifications ¶

(1) To qualify to sit for the Board required examination, an examination candidate must have a degree from a

program accredited and accepted by the Landscape Architecture Accreditation Board (LAAB) or the equivalent as specified in 804-010-0010 or 804-010-0020.¶

(2) For a LAAB degree program, it must be listed in LAAB's Accreditation Report current at the time of the candidate's graduation.

Statutory/Other Authority: ORS 670.310, 671.335, 671.415

Statutes/Other Implemented: ORS 671.335

AMEND: 804-010-0010

RULE SUMMARY: This rule explains how the Board credits various types of degrees and how examination candidates can meet the overall education requirement based on the type of degree held.

CHANGES TO RULE:

804-010-0010

Equivalent Education and Experience ¶¶

(1) In lieu of the Landscape Architectural Accreditation Board (LAAB) degree specified in OAR 804-010-0000, an ~~applicant~~examination candidate may satisfy the education requirement for examination eligibility by accumulating the required five years of credit through a combination of one or more of the following:¶¶

(a) Non-accredited B.L.A or M.L.A., four years credit;¶¶

(b) NAAB-accredited B.Arch. or M. Arch, four years credit;¶¶

(c) ABET-accredited degree in Civil Engineering, four years credit; or¶¶

(d) Any Bachelor's degree, two years credit; and¶¶

(e) Up to three years of diversified experience in landscape architecture under the direct supervision of a licensed or registered landscape architect can fulfill the balance of the five years required to sit for the examination.¶¶

(2) In allowing examination ~~applicant~~candidates the opportunity to combine education and experience in fulfilling the minimum qualification requirements established by statute, the Board will apply the following evaluation criteria:¶¶

(a) Degrees listed in (1) above cannot be combined to satisfy the education credit requirement;¶¶

(b) The work experience applied as education credit may not also be used to satisfy experience requirements;¶¶

(c) Any degree awarded less than two years prior to the accreditation of the program will be accepted as an accredited degree;¶¶

(d) Any degree awarded after a program has ceased to be accredited will not be accepted as an accredited degree.

Statutory/Other Authority: ORS 670.310, 671.335, 671.415

Statutes/Other Implemented: ORS 671.335

AMEND: 804-010-0020

RULE SUMMARY: This rule sets forth requirements for examination candidates seeking Board approval to sit for the required examination based on work experience in lieu of any formal university education.

CHANGES TO RULE:

804-010-0020

Experience in Lieu of Education ¶

- (1) ~~Applicant~~Examination candidates may qualify for examination under ORS 671.335(1) by completing eight years of experience under the direct supervision of a licensed or registered landscape architect.¶
- (2) ~~Applicant~~Examination candidates applying under the provisions of this section must submit a written request to the ~~b~~Board seeking consideration of experience in lieu of education.¶
- (3) The ~~b~~Board shall supply the ~~applicant~~examination candidate with the format for submitting required documentation.¶
- (4) A Board written response will provide the ~~applicant~~examination candidate with the Board's evaluation and conclusions regarding admission to the examination.

Statutory/Other Authority: ORS 670.310, 671.335, 671.415

Statutes/Other Implemented: ORS 671.335

AMEND: 804-020-0001

RULE SUMMARY: This rule describes the Board's examination requirement and when examination candidates must obtain pre-approval from the Board to sit for this examination.

CHANGES TO RULE:

804-020-0001

Landscape Architect Registration Examination (LARE) ¶

(1) The Landscape Architect Registration Examination (LARE) is prepared by the Council of Landscape Architect Registration Boards (CLARB) and tests candidates' knowledge, skills, and abilities considered to be the minimum competency needed for protecting the health, safety and welfare of the public.¶

(2) All sections of the LARE are administered by CLARB.¶

(3) Examination candidates without a degree from a program accredited by the Landscape Architectural Accreditation Board (LAAB) must obtain Board approval before registering for any section(s) of the LARE as addressed in OAR 804-020-0003 and 804-020-0010.¶

(4) Depending on the date examination sections were taken, examination candidates or licensure applicants must, upon request of the Board or Board staff, request of CLARB or the appropriate licensure board that verification be provided to the Board of passing scores for completed sections of the LARE.

Statutory/Other Authority: ORS 670.310, 671.335, 671.415

Statutes/Other Implemented: ORS 671.335

AMEND: 804-020-0003

RULE SUMMARY: This rule sets forth requirements for application for Board pre-approval to sit for the required examination and also defines how long Board approvals are valid.

CHANGES TO RULE:

804-020-0003

Application for Board Approval ¶

(1) Examination candidates without a degree from a program accredited by the Landscape Architectural Accreditation Board (LAAB) must apply for and obtain Board approval before registering for any sections of the Landscape Architect Registration Examination (LARE).¶

(2)(a) The Board may delegate authority to the Board Administrator or a Board member to review and approve applications to sit for examination.¶

(b) Board approval may be granted after verification of receipt and review of an application submitted on a form provided by the Board to the Board office and the following information:¶

(A) An official university sealed transcript(s) ~~demonstrating the exam candidate meets the educational requirements to sit for the exam. For an exam candidate with a non-Landscape Architecture Accreditation Board (LAAB) accredited degree or no degree, w, where applicable;~~¶

~~(B) Work experience verification must also be provided as specified in 804-010-0010 or 804-010-0020, whichever is applicable;~~ and¶

~~(B)C~~ The examination application fee.¶

(3) When an examination application is approved, the examination candidate is authorized by the Board to register for all sections of the LARE, either at one time or at separate times. The Board's approval is valid for 5five years from the date of issuance.¶

(a) The Board Administrator may approve a 1one year extension of the Board's approval if the examination candidate has requested an extension in a written letter which including and provides an explanation of the need for the extension ~~and is. Such written request must be~~ submitted no later than 45forty-five days prior to the expiration of the Board's approval.¶

(b) If the Board's approval expires before the examination candidate completes all sections of the LARE, the examination candidate may re-apply but must include with the application a written explanation of preparation undertaken to facilitate completion of the examination.¶

(A) The examination candidate will not have to re-take exam sections already passed.¶

(B) The examination candidate will need to include the official university transcript if no longer on file with the Board.¶

(C) The examination application fee applies.

Statutory/Other Authority: ORS 670.310, 671.335, 671.415

Statutes/Other Implemented: ORS 671.335

AMEND: 804-020-0005

RULE SUMMARY: This rule clarifies that examination candidates do not usually need to re-apply to the Board to retake failed portions of the required examination.

CHANGES TO RULE:

804-020-0005

Reapply for Exam-~~ination~~ in

~~Applicant~~ Examination candidates are not required to submit a new application to retake failed portions of the examination except when the Board approval has expired as addressed in 804-020-0003(3).

Statutory/Other Authority: ORS 670.310, 671.335, 671.415

Statutes/Other Implemented: ORS 671.335



AMEND: 804-020-0010

RULE SUMMARY: This rule sets the deadline for applications for Board approval to sit for the required examination.

CHANGES TO RULE:

804-020-0010

Date of Application and Prior Approval Request Receipt ¶¶

(1) Applications for Board approval to register for the Landscape Architect Registration Examination (LARE) must be received in the Board's office as follows:¶¶

~~(a) For candidates with a degree that is accredited by the Landscape Architecture Accreditation Board (LAAB), applications must be received in the Board's office no less than 30 days prior to the close of the examination registration period as set by the Council of Landscape Architectural Boards (CLARB); or¶¶~~

~~(b) For candidates without a degree that is accredited by the Landscape Architecture Accreditation Board (LAAB) and applying based in whole or in part on work experience in lieu of education under OAR 804-010-0010 or 804-010-0020, applications must be received in the Board's office no less than 45 days prior to the close of the examination registration period as set by no less than thirty days prior to the close of the examination registration period as set by the Council of Landscape Architectural Registration Boards (CLARB).¶¶~~

(2) The Board Administrator may waive the deadlines in (1) on a case-by-case basis to accept an examination candidate's application closer to the CLARB registration deadlines but only upon receipt of a written request from the examination candidate or CLARB and upon determination by the Board Administrator of extenuating circumstances outside the control of a the examination candidate. Failure of an examination candidate to be knowledgeable about the need for Board approval or to begin the registration process in a timely manner considering the Board deadlines are examples of situations that would not constitute extenuating circumstances.

Statutory/Other Authority: ORS 670.310, 671.335, 671.415

Statutes/Other Implemented: ORS 671.335

AMEND: 804-020-0015

RULE SUMMARY: This rule clarifies that the Board's application fee for approval to sit for the required examination is non-refundable.

CHANGES TO RULE:

804-020-0015

Refunds ¶

The Board's examination application fee is non-refundable.

Statutory/Other Authority: ORS 670.310, 671.335, 671.365, 671.415

Statutes/Other Implemented: ORS 671.335, 671.365

AMEND: 804-020-0030

RULE SUMMARY: This rule addresses when and where the required examination is administered.

CHANGES TO RULE:

804-020-0030

Date of Examinations ¶

The Landscape Architect Registration Examination (LARE) shall be administered on the dates and times established by the Council of Landscape Architectural Registration Boards (CLARB) at test centers or other sites designated by CLARB.

Statutory/Other Authority: ORS 670.310, 671.335, 671.415

Statutes/Other Implemented: ORS 671.335

AMEND: 804-020-0045

RULE SUMMARY: This rule addresses how scores are provided to examination candidates.

CHANGES TO RULE:

804-020-0045

Notice of Score ¶

Examination candidates will receive notification of examination scores directly from the Council of Landscape Architectural Boards (CLARB).

Statutory/Other Authority: ORS 670.310, 671.335, 671.415

Statutes/Other Implemented: ORS 671.335