

Title 09
MARYLAND DEPARTMENT OF LABOR
Subtitle 28 BOARD OF EXAMINERS OF LANDSCAPE ARCHITECTS
09.28.04 Continuing Professional Competency Requirements

Authority: Business Occupations and Professions Article, §9-309, Annotated Code of Maryland

Notice of Proposed Action

[23-031-P]

The Maryland Board of Examiners of Landscape Architects proposes to:
proposes to amend Regulations .01—.06, and .08 under COMAR 09.28.04 Continuing Professional Competency Requirements. This action was considered July 25, 2022

Statement of Purpose

The purpose of this action is to update the Maryland Board of Examiners of Landscape Architects' continuing professional competency requirements to increase access for licensees to continuing education and to be consistent with regional and national changes. Additionally, the Maryland Board of Examiners of Landscape Architects is clarifying its requirements with these amendments.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Zevi Thomas, Executive Director, Professional Design Boards, Maryland Department of Labor, 1100 N. Eutaw Street, 5th Floor Baltimore, MD 21201, or call 4102306262, or email to DLOPLBoardofExaminersofLandscapeArchitects-LABOR@maryland.gov. Comments will be accepted through April 24, 2023. A public hearing will be held on Final action on the proposal will be considered by the Maryland Board of Examiners of Landscape Architects during a public meeting to be held on July 17, 2023 at 1:30 PM.

Open Meeting

Final action on the proposal will be considered by Maryland Board of Examiners of Landscape Architects during a public meeting to be held on July 17, 2023 at 1:30 PM, at 1100 N. Eutaw Street, Baltimore, Maryland 21201; or virtually (<https://meet.google.com/mth-byen-wdx>); or dial: (US) +1 470-745-0574 PIN: 254 911 810#.

Title 09 DEPARTMENT OF LABOR
Subtitle 28 BOARD OF EXAMINERS OF LANDSCAPE ARCHITECTS
Chapter 04 Continuing Professional Competency Requirements

Authority: Business Occupations and Professions Article, §9-309, Annotated Code of Maryland

.01 Purpose.

The State legislature has determined that, in order to safeguard the health, safety, and welfare of [Maryland citizens] *the public*, licensed architects must comply with the continuing professional competency ("*CPC*") requirements as a prerequisite [to] *for* the renewal of a license.

.02 Definitions.

A. In this chapter, the following terms have the meaning indicated.

B. Terms Defined.

(1) "ASLA" means the American Society of Landscape Architects.

(2) "Board" means the State Board of Examiners of Landscape Architects.

[(3) "CLARB" means the Council of Landscape Architecture Registration Boards.]

[(4)] (3) "College credit hour" means the credit for a course described in Regulation .04 .04 of this chapter, offered by a university, college, or community college.

(4) "*Continuing Education Standard Activities*" means traditional continuing education coursework presented to students by an instructor in an in-person or virtual classroom format.

(5) “Continuing Education Alternative Activities” means work that qualifies under these Regulations for continuing professional competency credits that is not traditional continuing education coursework presented to students by an instructor in an in-person or virtual classroom format.

(6) “Health, safety, and welfare subjects” (“HSW”) means content areas identified as such by Landscape Architecture Continuing Education System as those content areas may be updated or otherwise amended from time to time.

[(5)] (7) “LACES” means Landscape Architecture Continuing Education System.

[(6)] (8) “Professional development hour (PDH)” [means one continuous instructional hour spent attending and completing the professional development activity. One PDH means] a minimum of 50 minutes of face-to-face or distance learning instruction per 60-minute hour[and is equivalent to a comparable single educational unit that may be utilized by ASLA, LACES, or CLARB].

[(7)] (9) “Qualifying activities” means professional development activities which [satisfy the following requirements] *qualify for PDH credit by meeting the following requirements:*

(a) Meet the criteria set forth in Regulation .04 .04; and

(b) Are approved and accepted for credit by[:

(i) Any chapter of the ASLA;

(ii) LACES[;

(iii) CLARB;] or

[(iv)]The Board.

.03 Requirements.

A. A licensee shall complete, as a condition of a license renewal in each individual 2-year-renewal cycle, a minimum of 24 PDHs [earned upon completion of one or more qualifying activity]. *Said 24 PDHs must consist of a minimum of 16 Continuing Education Standard Activities and a maximum of 8 Continuing Education Alternative Activities. Of the said 16 Continuing Education Standard Activities, 8 must be HSW focused.*

B. A licensee will not be eligible to earn PDHs for a professional development activity that has not been [previously] approved for credit by [ASLA,] LACES[, CLARB,] or the Board.

.04 Qualifying Activities.

A. In order for an activity to be considered a qualifying [activity] *Continuing Education Standard Activities or Continuing Education Alternative Activities*, the activity shall meet the following criteria:

(1) Maintain [and enhance professional competency of licensed landscape architects], *improve, or expand the skills and knowledge relevant to the practice of landscape architecture;*

(2) [Foster improvement, advancement, and extension of professional skills and knowledge related to the practice of landscape architecture] *Research, analysis, assessment, conservation, preservation, and enhancement of land use;*

(3) [Offer learning experiences relevant to current landscape architectural practices as they relate to the public health, safety, and welfare] *Selection and allocation of cultural, historic, and natural resources;* [and]

(4) [Be presented, led or taught at a professional level by well-qualified professionals in the learning environment conducive to learning and appropriate for accomplishing learning objectives described in these regulations] *Laws and regulations applicable to the practice of landscape architecture in Maryland;*

(5) *Standards of practice or care applicable to the practice of landscape architecture; or*

(6) *Professional ethics as applicable to the practice of landscape architecture.*

B. Qualifying *Continuing Education Standard Activities* [activities may fall into one or more of the following categories] *include:*

(1) [Research, analysis, assessment, conservation, preservation, and enhancement of land use;] *Attending traditional continuing education coursework that meet the requirements of Regulation .04 .04 A as well as the criteria below:*

- (a) Maintain and enhance professional competency;*
- (b) Foster improvement, advancement, and extension of professional skills and knowledge related to the practice of landscape architecture;*
- (c) Offer learning experiences relevant to current landscape architectural practices or those that relate to the public health, safety, and welfare;*
- (d) Be presented in a systematic manner that clearly defines learning objectives; and*
- (e) Be led or taught at a professional level by well-qualified professionals in a learning environment conducive to learning and appropriate for accomplishing learning objectives described in these regulations.*

[(2) Selection and allocation of cultural, historic, and natural resources;

(3) Laws and regulations applicable to the practice of landscape architecture in Maryland;

(4) Standards of practice or care;

(5) Professional ethics as applicable to the practice of landscape architecture; or

(6) Similar topics aimed to maintain, improve, or expand the skills and knowledge relevant to the practice of landscape architecture.]

C. Continuing Education Alternative Activities include:

(1) Participating in one of the following provided it meets the requirements of Regulation .04 .04 A:

(a) Authorship of original published work including books, articles, papers, or documents, or other media types at the discretion of the Board.

(b) Enrollment in and completion of a related, for-credit course at a university, college, or community college.

(c) Professional development work or professional or technical presentations made on matters related to landscape architecture at meetings, conventions, or conferences.

(d) Other appropriate activities that may from time to time be approved by the Board.

.05 Non Qualifying Activities.

Activities that do not meet the criteria set forth in Regulation .04 .04 shall be considered to be nonqualifying activities, including, but not limited to, the following:

A. Regular employment as a licensed landscape architect or teacher or serving as an expert witness;

B. Repetitive attendance of the same *coursework* or programs without substantial modifications or updates;

C. *Attending trainings or seminars related to [T]time management techniques and strategies;*

D. Attending committee meetings or general business meetings of any organizations; and

E. Other activities that, in the Board's opinion, are not directly related to the practice of landscape architecture.

.06 Sources of Credit and Determination of Units.

A. A licensee may earn [the] PDHs *through participation in Continuing Education Standard Activities* by any of the following methods:

(1) Attending and successfully completing [qualifying activities in which the teaching methodology consists primarily of systematic presentation of subjects related to the practice of landscape architecture] *traditional continuing education courses that meet the requirements of Regulation .04 .04.*

(2) [Subject to limitations set forth in this regulation, teaching, lecturing on, or instructing on the subjects related to landscape architecture in the environment described in §A(1) of this regulation ;

(3) Other appropriate methods that may from time to time be approved by the Board.] *PDH credit may only be claimed once for a particular course.*

B. [A licensee may earn the applicable number of PDHs] *A licensee must apply to the Board for approval of PDHs through participation in Continuing Education Alternative Activities in accordance with Regulation .04.04 [with] under the following conversion schedule:*

(1) Credited contribution to a print or digital publication of original work published in a periodical recognized by the Board;

(a) A maximum of 3 PDHs may be applied for upon publication.

(2) Credited contribution to an original book;

(a) A maximum of 5 PDHs may be applied for upon publication.

(3) Enrollment in and completion of a related, for-credit course at a university, college, or community college; or

(a) 1 PDH may be applied for upon completion of 1 college credit hour with a maximum of 3 total PDHs per for-credit course.

(4) Teach a traditional continuing education course.

(a) A maximum of two times the number of PDHs awarded under Regulation 04. 06. A for the taking of the course may be applied for.

(b) A licensee may only apply for this credit for the first time the traditional course is taught.

C. (text unchanged)

.07 (text unchanged)

.08 Record Keeping.

A.--B. (text unchanged)

[C. The Board may request ASLA, LACES, CLARB, and any presenters approved by the Board to electronically transmit to the Board records of attendance, completion of a qualifying activity by an individual licensee, and any other pertinent information requested by the Board.]

CHRISTOPHER SCHEIN, PLA, ASLA
Chairman
Board of Landscape Architects

CHRISTOPHER SCHEIN
Chair