

STATE OF CONNECTICUT

BOARD OF LANDSCAPE ARCHITECTS

AUGUST 18, 2020

The Board of Landscape Architects held a regular meeting via ZOOM Webinar on August 18, 2020 which was called to order by Chairman Mark Arigoni at 9:35 AM.

Board Members Present:

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| Mark R. Arigoni | Chair, Landscape Architect |
| W. Phillips Barlow | Landscape Architect |
| Dominick Celtruda | Landscape Architect |

Board Members Not Present:

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| Anne L. Penniman | Landscape Architect |
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| <u>Vacancy:</u> | Three (Public Members) |
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| <u>DCP Staff Present:</u> | Robert M. Kuzmich, License & Applications Specialist |
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| <u>Others Present:</u> | Oliver Gaffney, ASLA Aris W. Stalis |
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Note: The administrative functions of the Boards, Commissions, and Councils are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division, Richard M. Hurlburt, Director.

Agency Website: www.ct.gov/dcp E-Mail: dcp.occupationalprofessional@ct.gov

1. Review of minutes of the February 18, 2020 Board of Landscape Architects Meeting

The Board voted, unanimously, to approve the minutes of February 18, 2020 as written. (Barlow/Celtruda)

2. Comments or Concerns of any Person Present Today

Mr. Aris Stalis introduced himself as a Landscape Architect practicing in Bridgeport, Connecticut. He addressed the Board regarding the CT Chapter of the ASLA's efforts in working with the DCP regarding the updating of the regulation for licensing of landscape architects. What prevailed from these conversations was a need to clarify the approval process for candidates seeking licensure. Mr. Stalis stated that there exists confusion on the part of the examination candidate as to what requirements for licensure are required between the CLARB and the Department of Consumer Protection. Mr. Stalis is asking for an answer from the Board on what requirements are enforced.

In response, Mr. Arigoni stated that the question is excellent and has been discussed by the Board in the past noting that the process is lengthy, and it is not the Board's intent to confuse candidates. He noted that the Board has the authority to approve the candidate first before taking the examination and that the candidate should seek their approval first if they do not possess an accredited degree in landscape architecture. He cited examples of candidates being approved by CLARB first only to discover that their education background is in question by the Board.

Mr. Barlow stated that the bigger issue is that an alternate path to licensure is not clearly defined in the law as it presently exists. Mr. Celtruda noted that he reviewed the current law and agrees with Mr. Barlow. He believes that the definition of this process will go beyond today's Board meeting. Mr. Arigoni asked the Department to work with the Board in reviewing the current law and define and address any "gray" areas that can lead to confusion. Mr. Stalis suggested that CLARB participate in the Board's next meeting and have a discussion with the Department, the Board, and the ASLA to try and better define the licensure process. Mr. Celtruda believes that the application for licensure currently on-line is more accurate in defining the licensure process than the regulation that it supports.

Mr. Oliver Gaffney stated he agrees with Mr. Celtruda regarding confusion on the CLARB website as to whether or not a Council Record is required. He noted in contrast, the Commonwealth of Massachusetts is very clear and straightforward noting that a Council Record is not required. He suggested that this Board look at Massachusetts as an example of a clearly defined path to licensure for their candidates.

Mr. Gaffney also noted that candidates have been coming to the ASLA as a resource for direction; one of which is on the Board's agenda today; Mr. Tyler Ballo. He noted that based upon the people that have contacted him, there definitely is confusion as to what education qualifies a person for licensure in Connecticut. Mr. Arigoni noted that although Massachusetts law may be clear regarding licensure, their Board almost never convenes due to a lack of legislative support. Mr. Arigoni also urged candidates to come to the Board first to seek definite clarification and direction before doing anything else that may not benefit them in their path to licensure. At this point, this is the best direction that can be given to candidates, until the Board and Department review and, if

necessary, change the law. He also advised Mr. Stalis and Mr. Gaffney to give this directive to candidates with questions before they embark on the wrong path.

In conclusion, the Board decided to have the Department of Consumer Protection's Legal Department review the existing language of the law and provide a summary noting any inconsistencies between the statutes, regulations, and the applications. Mr. Arigoni, on behalf of the Board offered their services to the Department on this task. They also discussed the possibility of a meeting with all parties prior to the next Board meeting to discuss this matter.

3. DCP Investigation Division Complaint Status Report

3A. Board to review complaint status report when provided.

Mr. Kuzmich noted that he received an e-mail from the Department's Investigator stating that there are no new complaints to report and as such, she will not be attending today's meeting.

4. Old Business

1. Mr. Arigoni acknowledged that the continued discussion concerning the involvement of State Board's with their accredited university (UCONN) regarding outreach and understanding of the licensure process will be carried forward to their next meeting. He noted the effect that COVID has on this matter,

5. New Business

5A. Applications for licensing by written examination:

1. Application of Xi Yang for licensing by written examination; Ms. Yang is applying with a CLARB Council Record (No. 53224) and has passed the Landscape Architect Registration Examination with the Council of Landscape Architectural Registration Boards. Upon a thorough review, the Board voted, unanimously, to approve Ms. Yang for licensing in Connecticut as a Landscape Architect. (Celtruda/Barlow)

5B. Review of transcript of Mr. Tyler Andrew Ballo pursuant to **Sec. 20-370. Examination for licensure. Fee. (1).**

Mr. Kuzmich noted that Mr. Ballo has not yet formally applied to the Department and is asking the Board first for their evaluation of his education before doing so. Mr. Kuzmich also confirmed to Mr. Barlow the statutory reference that gives the Board the capacity to review this alternate education.

After an evaluation of his transcripts, the Board accepted this education as fulfillment of the education component of the requirements for licensing in Connecticut as a Landscape Architect. It was noted that the Department will need an application from Mr. Ballo to establish a database for the licensing process. Further, the Board noted that the applicant does need to fulfill the work experience component of the licensing process

The Board added the following items under “**New Business**” at today’s meeting:

1. Mr. Arigoni noted that because licensees are in the first year of the continuing education biennium, there is no need to provide any CEU time extensions.
2. The CLARB Annual Meeting will be approaching soon and there will be an election of CLARB Officers. The Board can view candidates on the CLARB website. He noted that CLARB has recently gone through a change in governance among which concerned regional and director’s at-large. The Annual Meeting will be an on-line event and attendance by all was encouraged by Mr. Arigoni.

The Board voted, unanimously, to designate Mr. Mark Arigoni, Board Chairman, as Connecticut’s voting delegate. (Celtruda/Barlow)

3. Mr. Arigoni noted that CLARB has drafted a Uniform Application after their attendance at multiple Member Board meetings. They are attempting to streamline the application process and identify all potential glitches consequential from nuances generated by some States. He gave the Board some examples.
4. The Board summarized their actions taken at today’s Board Meeting noting that they seek clarification between the statute, regulation, and application regarding the licensure process. In addition, Mr. Celtruda suggested a potential flow diagram outlining the various paths to licensure. It was noted that CLARB has their “path to licensure” flow diagram. Mr. Arigoni would like to see a Connecticut path to licensure flow diagram. The Board discussed the details of CLARB’s licensure path and agreed that Connecticut should try and stay as close to the CLARB path as possible. Mr. Kuzmich will request a copy of the CLARB documentation. Mr. Barlow does not see an advantage to the initial applicant between getting the information to CLARB versus just getting the same information to the Connecticut Board. He did note the value and convenience of having CLARB store the licensee’s information subsequent to their initial licensure and then getting licensed in other States.
5. The Board summarized their conclusions regarding the proposed changes in the continuing education requirements in light of the national pandemic. Mr. Kuzmich will send a draft of the revisions to the Board for their review and comment.
6. Continuing from the Board’s last meeting, Mr. Arigoni noted that he addressed the issue of CLARB’s unverified employment with them at a recent CLARB Board Meeting. He noted that CLARB’s response was that unverified employment occurs when the

applicant puts down that the owner of the company they worked for is deceased or the business no longer exists. He asked CLARB to clarify the unverified employment in writing on the CLARB Record itself to assist the Board in their review of the same.

7. The Board, again, addressed the Landscape Architect Board vacancies and asked that the Department follow up with getting these vacancies filled. Mr. Kuzmich will investigate this matter with the Department.

5C. Updated list of applications processed for licenses subsequent to the February 18, 2020 meeting of the Board.

| No. | Name | Method of Licensure | Approved Date |
|------|---------------------|--|-------------------|
| 1555 | Kluchman, Michael | Waiver of Exam; CLARB Council Record No. 17781; MA | February 13, 2020 |
| 1549 | Naetzker, Donald P. | Waiver of Exam; CLARB Council Record No. 52710; NY | February 28, 2020 |
| 1551 | Anderson, Adam | Waiver of Exam; CLARB Council Record No. 32098; RI | April 6, 2020 |
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The Board acknowledged the Department’s action on the above applications.

5D. Applications for Corporate Practice of Landscape Architecture

There are no new applications at this time.

5E. Applications for the Joint Practice of Landscape Architecture and

Architecture/
Landscape Architecture/
Professional Engineering/
Land Surveying/

There are no new applications at this time.

6. Correspondence

1. The Board voted, unanimously, to move Agenda Item 6 up in the agenda and address this Agenda item prior to Agenda Item 3 in deference to Mr. Oliver Gaffney who is participating in this webinar. (Celtruda/Barlow)

The Board now discussed two letters they received for review and discussion at today’s meeting:

A. Letter dated August 12, 2020 from Mr. Oliver Gaffney on behalf of ASLA Connecticut concerning Distance Learning for Continuing Education.

B. Letter dated August 12, 2020 from Mr. Oliver Gaffney, ASLA, concerning Affirming Diversity, Equity, Inclusion, and Anti-Racism in Our Profession.

Mr. Gaffney addressed Letter (A) above noting that it concerns the continuing education requisite in light of the current national health crisis. The letter asks the following questions:

1. Can webinar programs satisfy the requirement for the six (6) hours of live presentation stated in Sec. 20-368-15a. if participants attend them as they are broadcast?
2. Can recordings of webinar programs be accepted for the purposes of continuing education? If so, what documentation will be required by practitioners to demonstrate satisfactory completion?
3. Given the proliferation of webinars offered by vendors and commercial entities, must webinars be accredited by LA CES? If not, then how should practitioners evaluate whether a program is appropriate for continuing education purposes?

Mr. Arigoni noted that it is his intention to also address continuing education later in this meeting under **New Business**. Mr. Barlow addressed the live continuing education requirement and the approval of the providers for the same. It was noted that the Board accepts many providers and has been generally lenient in the past in this area. Mr. Barlow and Mr. Celtruda both consider webinar presentations as a “live” credit.

Mr. Barlow addressed the six-hour live attendance requirement stated in the law and asked if this requirement can be waived by the Board in recognition of the pandemic. Mr. Kuzmich believes that the Board can waive this requirement.

The Board motioned to waive the six (6) hour live CEU requirement in recognition of the National COVID Pandemic and accept alternate CEU credits in their place. This action is only for the current continuing education period and will end on the first day of the month following the date of the Board’s first quarter Board Meeting in 2021.
(Celtruda/Barlow)

Regarding approval of the continuing education credits, the Board noted that they cannot give absolute assurance that all CEU providers will be accepted. The Board will certainly accept all LACES accredited courses. Beyond that, it will be up to the licensee, in their judgement, to make the determination that the courses they take are health, safety, and welfare (HSW) related.

Mr. Gaffney now addressed Letter (B) concerning Affirming Diversity, Equity, Inclusion, and Anti-Racism in the landscape architecture profession. He noted the importance of consideration by the Board that courses pertaining to diversity, equity, inclusion, and anti-racism be considered continuing education if they address the protection of public health safety, and welfare.

Mr. Arigoni thanked Mr. Gaffney for his letter noting that the letter is very thoughtful and current. He stated that this Board will consider all LACES and non-LACES continuing education courses submitted relating to health, safety, and welfare whether they represent technical aspects or social aspects. The Board will give both types of submissions the same justification.

Mr. Barlow stated that he agrees with Mr. Arigoni and also noted that the topics described by Mr. Gaffney would fit solidly with health, safety, and welfare. Mr. Celtruda noted that he attended seminars relating to these same topics Mr. Gaffney has brought to the Board for discussion today. He complimented Mr. Gaffney on a very well written letter and stated that a challenge the Board will face is to educate LACES on the value of social and cultural aspects of continuing education courses.

In summary, Mr. Arigoni stated that this Board will consider all CE courses brought before them whether they are technical or social and how they relate to health, safety, and welfare, with the same weight. The Board feels very strongly on this issue and does not believe a motion is necessary because this is how they have always felt and believed. Nothing has changed.

7. Comments or Concerns of any Person Present Today

It was noted by Mr. Kuzmich that there are no comments to be addressed as indicated in the ZOOM webinar meeting page. In addition, there were no further comments from any of the webinar panelists.

The meeting adjourned at 11:12 AM. (Celtruda/Barlow) The next regular meeting of the Board is scheduled for Tuesday, November 17, 2020, 9:30 AM; location to be determined.

Respectfully Submitted,

Robert M. Kuzmich, R.A.
Board Administrator

Upcoming Board of Landscape Architects Meeting Dates:

1. November 17, 2020

All meetings will take place at 450 Columbus Boulevard, Hartford, CT at 9:30 AM unless otherwise noted.