

## **Continuing Education for Landscape Architects.**

### **Purpose**

In accordance with Nevada Revised Statute 623A.215, (NRS 623A.215) Certificate of registration: Continuing education; regulations. The Board may, by regulation, require each holder of a certificate of registration to complete a course of continuing education as a condition for the renewal of the certificate of registration. The regulations must include the number of hours of continuing education that the holder of the certificate of registration must complete to renew the certificate. The continuing education standards for landscape architects are established as follows:

- (1) Beginning July 1, 2019, during each one year renewal cycle ending on June 30 of each year, a licensed landscape architect shall complete not less than 8 contact hours of continuing education directly related to the licensee's professional practice.
- (2) An individual who holds an initial certificate of registration issued by the board, is exempt from the requirements for continuing education for the year in which the certificate of registration was issued and the next following year.
- (3) The Board may defer or waive the continuing education requirements in cases of hardship, military service, Commissioned Officer of the National Oceanic and Atmospheric Administration, or Commissioned Corps of the United States Public Health Service. (Section 1. NRS 417.0194 amended 2017)
  - (a) A registrant who serves on active duty in the Armed Forces of the United States, Commissioned Officer of the National Oceanic and Atmospheric Administration, or Commissioned Corps of the United States Public Health Service for a period of more than 120 consecutive days during a calendar year is exempt from the requirements for continuing education for that renewal cycle.
  - (b) A registrant may submit to the board written evidence of hardship. The board at its next scheduled meeting may hear the evidence and rule on the exemption.
- (4) A continuing education activity shall meet the following standards:
  - (a) Activity Content and Types. The activity shall have an identifiable, clear statement of purpose and defined objective directly related to the practice of landscape architecture and directly related to topics involving the public health, safety, and welfare of landscape architecture practice and the ethical standards of landscape architectural practice.
    - (i) Health, safety, welfare, and ethical standards as used in this Subsection are defined to including the following:
      - (A) The definition of "health" shall include aspects of landscape architectural practice that have salutary effects among users of sites, site structures, pedestrian ways, and vehicular facilities that are environmental and affect human health. Examples include all

aspects of air quality, provisions of personal hygiene, and use of non-toxic materials and finishes.

(B) The definition of "safety" shall include aspects of landscape architectural practice intended to limit or prevent accidental injury or death among users such as sites, site structures, or construction sites. Examples include safe access and egress within sites and site structures, minimization of slipping hazards on exterior surfaces, correct proportions and visibility of stairs, safety railings, and accommodations for users with disabilities.

(C) The definition of "welfare" shall include aspects of landscape architectural practice that consist of values that may be social, psychological, cultural, spiritual, physical, aesthetic, and monetary in nature. Examples include spaces that afford natural light, natural materials, or views of nature or whose proportions, color, or materials engender positive emotional responses from its users.

(D) The definition of "ethical standards for landscape architectural practice" shall include the ASLA Code of Professional Ethics and as specified in NAC623A.480

(ii) The activity shall be completed in the form of any of the following activity types:

(A) in-house programs sponsored by an organization;

(B) seminar;

(C) lecture;

(D) conference;

(E) training session;

(F) webinar;

(G) internet course;

(H) distance learning course;

(I) televised course;

(J) authoring of an article, textbook, or professional book publication;

(K) lecturing in or instructing a continuing education course;

(L) study of a scholarly peer-reviewed journal article, book, or book chapter;

(M) pro-bono service that has a clear purpose and objective and maintains, improves, or expands the professional knowledge or skill of the licensee;

(N) mentoring one or more students for one day at the American Society of Landscape Architecture Annual Meeting, mentoring program, or other mentoring event;

(O) membership on a state regulatory board for the practice of landscape architecture;

(P) serving as an elected officer or appointed chair of a committee or organization in a professional society or organization;

- (Q) serving as an elected officer or appointed member of a professional board or commission; or
- (R) serving as an exam grader or on a committee writing exam materials for a professional registration or licensing examination.
- (b) Objectives. The activity learning objectives shall be clearly stated in activity material.
- (c) Faculty. The activity shall be prepared and presented by individuals who are qualified by education, training, and experience.
- (d) Activity provider or sponsor. The activity shall be approved by, conducted by, or under the sponsorship of one of the following:
  - (i) an accredited college or university;
  - (ii) a state or federal agency;
  - (iii) a professional association, organization, or company related to the practice of landscape architecture; or
  - (iv) a commercial continuing education provider providing an activity related to the practice of landscape architecture.
- (e) Documentation. Each licensee shall maintain documentation as proof of compliance on a form prescribed by the Board, which shows:
  - (1) the date of the activity;
  - (2) the name of the activity provider;
  - (3) the name of the instructor;
  - (4) the activity title;
  - (5) the number of contact hours of continuing education credit; and
  - (6) the activity objectives.
  - (7) certificate of completion or school transcript,
  - (8) activity description,
  - (9) activity syllabi, or other activity materials.

The licensee shall retain this proof for a period of three years after the end of the renewal cycle for which the continuing education is due.

- (v) If the activity is self-directed, such as study or authoring of a scholarly peer-reviewed journal article, book, book chapter, or similar document, the documentation shall contain the following:
  - (A) the dates of study or research;
  - (B) the title of the paper, article, or book;
  - (C) an abstract of the paper, article, or book;
  - (D) the number of contact hours of continuing education credit; and
  - (E) the objectives of the self-study activity.
- (f) Contact hour. Each contact hour of continuing education credit shall consist of not fewer than 50 minutes of education. One professional development hour (PDH) is equal to one contact hour. One university quarter credit hour is equivalent to 40 contact hours. One university semester credit hour is equivalent to 45 contact hours. One International Association of Continuing Education and

Training (IACET) Continuing Education Unit CEU is equivalent to ten contact hours.

(5) Extra hours of continuing education. If a licensee completes more than the required number of contact hours of continuing education during the one year renewal cycle specified in Subsection (1), up to **four contact hours of the excess** may be carried over to the next one year renewal cycle. No education received prior to the license being granted may be carried forward to apply towards the continuing education required after the license is granted.

(6) Credit for continuing education shall be recognized in accordance with the following:

- (a) a maximum of **three hours per one year renewal** cycle may be recognized for teaching in a college or university or for teaching continuing education activities in the field of landscape architecture, provided it is the first time the material was taught;
- (b) a maximum of **one hour per one year renewal cycle** may be recognized for authoring or study of published papers, articles, or books directly related to the practice of landscape architecture;
- (c) a maximum of **two hours per one year renewal cycle** may be recognized for pro-bono service that has a clear purpose and objective and maintains, improves, and expands the professional knowledge or skill of the licensee;
- (d) a maximum of one hour per one year renewal cycle may be recognized for mentoring one or more students for one day at the American Society of Landscape Architecture Annual Meeting, mentoring program, or other mentoring event;
- (e) a maximum of **two hours per one year renewal** cycle may be recognized for membership on a state regulatory board for the practice of landscape architecture;
- (f) a maximum of **one hour per one year renewal** cycle may be recognized for serving as an elected officer or appointed chair of a committee or organization in a professional society or organization related to the practice of landscape architecture;
- (g) a maximum of **one hour per one year renewal** cycle may be recognized for serving as an elected officer or appointed member of a governmental board or commission related to the practice of landscape architecture;
- (h) a maximum of two hours per one year renewal cycle may be recognized for serving as an exam grader or on a committee writing exam materials for a professional registration or licensing examination; and
- (i) **The Maximum number of required hours may be recognized for continuing education** that is online, distance-learning, correspondence course, or home study provided the activity verifies registration and participation in the activity by means of a test or other assessment method including a final summary, individual paper, or individual project which demonstrates that the participant learned the material presented.

## Audits by Board

(1) The Board may perform random audits of registrants or audits that are based on complaints or charges against registrants to ensure compliance with the requirements for continuing education.

(2) If the Board chooses to conduct an audit of a registrant, the Board will notify the registrant of its decision to conduct an audit. The registrant shall provide to the Board detailed information and documentation concerning the continuing education units claimed. Falsification of documentation concerning continuing education is grounds for disciplinary action.

## Submission of proof to Board; violation.

(1) Each registrant shall, on or before **June 30**, of each calendar year, **shall attest on a form prescribed by the Board proof of completion of the continuing education units claimed for that renewal year**, together with the application for the renewal of registration.

(2) If a registrant violates the provisions of subsection 1, the application for renewal must include the appropriate fee set forth in **NAC 623A.170** for the late renewal of a certificate of registration.

## Noncompliance with requirements.

(1) Failure of a registrant to complete the requirements for continuing education or satisfy the annual requirement for reporting continuing education units to the Board is grounds for the nonrenewal of his or her certificate of registration.

End Supplemental Material for August 24, 2017 9:30AM Workshop

## August 24, 2017 Workshop 1:30PM

(Added to NAC by Bd. of Landscape Arch. by R217-03, eff. 12-30-2011)

NAC 623A.513 Complaints against certificate holders: Public meeting of the Board; dismissal; preparation and service of formal disciplinary complaint and notice of hearing. ([NRS 623A.130](#))

1. At a public meeting of the Board, the Board will review the recommendation of the designated member of the Board on a complaint provided pursuant to the provisions of [NAC 623A.511](#) and decide whether to:

- (a) Dismiss the complaint; or
- (b) Proceed with a formal disciplinary hearing on the complaint and fix a date for the hearing on the matter.

2. If the Board decides pursuant to the provisions of subsection 1 to dismiss the complaint, the Board will provide a copy of its decision to the complainant and the respondent.

3. If the Board decides pursuant to the provisions of subsection 1 to proceed with a formal disciplinary hearing, the legal counsel for the Board shall prepare:

(a) A formal disciplinary complaint setting forth the specific violations of this chapter or [chapter 623A](#) of NRS that the respondent is alleged to have violated; and

(b) A notice of hearing pursuant to the provisions of [NAC 623A.520](#).

4. The legal counsel for the Board shall serve the formal disciplinary complaint and the notice of hearing prepared pursuant to the provisions of subsection 3 upon the respondent by certified mail, return receipt requested.

(Added to NAC by Bd. of Landscape Arch. by R217-03, eff. 12-30-2011)

NAC 623A.515 Settlement of complaints: Determination of parameters; offer; proposed stipulated agreement; approval. ([NRS 623A.130](#))

1. After the formal disciplinary complaint and the notice of hearing have been served upon the respondent pursuant to the provisions of [NAC 623A.513](#), the designated member of the Board, the Executive Director and the legal counsel for the Board may determine parameters within which the complaint may be settled with the respondent.

2. If, pursuant to the provisions of subsection 1, the designated member of the Board, the Executive Director and the legal counsel for the Board determine parameters within which the complaint may be settled, the legal counsel for the Board shall offer to the respondent to settle the complaint.

3. If the legal counsel for the Board and the respondent reach an agreement to settle the complaint, the legal counsel for the Board shall prepare a proposed stipulated agreement that resolves the complaint.

2. The designated member of the Board may consult with the Executive Director in conducting the review of the complaint pursuant to subsection 1.

3. If the designated member of the Board determines that the complaint does not meet the requirements of subsection 1, the designated member of the Board shall:

(a) If the complaint was not submitted on the official complaint form of the Board, provide to the person filing the complaint the official complaint form of the Board.

(b) Request that the person submitting the complaint provide the information that the designated member of the Board has determined to be missing from the complaint.

(Added to NAC by Bd. of Landscape Arch. by R217-03, eff. 12-30-2011)

NAC 623A.509 Complaints against certificate holders: Written response by respondent; effect of failure to respond. ([NRS 623A.130](#))

1. Once the designated member of the Board has determined pursuant to [NAC 623A.507](#) that a complaint is complete, the designated member of the Board shall provide a copy of the complaint to the respondent.

2. Upon the receipt of a copy of a complaint that has been filed against the respondent, the respondent shall submit to the Board a written response to the complaint within 20 days.

3. If the respondent fails to respond as required pursuant to subsection 2, he or she shall be deemed to have admitted the allegations in the complaint.

(Added to NAC by Bd. of Landscape Arch. by R217-03, eff. 12-30-2011)

NAC 623A.511 Complaints against certificate holders: Review of complaint and response by designated member of the Board to determine violation has occurred; recommendation to the Board. ([NRS 623A.130](#))

1. Upon the receipt of the response to a complaint pursuant to [NAC 623A.509](#), the designated member of the Board shall review the complaint and the response to determine whether a probable violation of this chapter or [chapter 623A](#) of NRS has occurred.

2. The designated member of the Board may consult with the Executive Director or the legal counsel for the Board in conducting the review of a complaint pursuant to the provisions of subsection 1.

3. After conducting a review of a complaint pursuant to the provisions of subsection 1, the designated member of the Board shall recommend to the Board that:

(a) The Board dismiss the complaint; or

(b) The Board proceed with a formal disciplinary hearing and schedule the matter for a disciplinary hearing.

honesty, trustworthiness or fitness of that landscape architect or landscape architect intern shall report that information to the Board.

14. A certificate holder shall notify the Board within 30 days after any disciplinary action or judgment against the certificate holder issued by any public agency or court which substantially relates to the qualifications, functions or duties of the practice of landscape architecture.

15. A certificate holder shall not:

(a) Fail to make timely payments for the support of one or more children pursuant to a court order; or

(b) Fail to comply with any warrant or subpoena relating to a proceeding to determine the paternity of a child or to establish or enforce an obligation for the support of one or more children.

16. Any violation of this chapter or [chapter 623A](#) of NRS is a ground for disciplinary action.

(Added to NAC by Bd. of Landscape Arch., eff. 11-1-95; A by R216-03, 6-1-2006)

#### ADMINISTRATIVE PROCEEDINGS

NAC 623A.505 Complaints against certificate holders: Action by Board. ([NRS 623A.130](#))  
If a complaint is filed with the Executive Director pursuant to the provisions of [NRS 623A.290](#), the Board:

1. If the complaint does not allege a violation of this chapter or [chapter 623A](#) of NRS, will transmit the complaint together with any evidence or information relating to the complaint to the agency, public or private, who, in the opinion of the Board, has jurisdiction over the complaint.

2. If the person filing the complaint is known, will notify the person filing the complaint of the final action taken on the complaint.

3. May meet and confer with the person filing the complaint and the person against whom the complaint is filed to facilitate a resolution of the complaint.

(Added to NAC by Bd. of Landscape Arch. by R216-03, eff. 6-1-2006)

NAC 623A.507 Complaints against certificate holders: Review by designated member of the Board to determine completeness. ([NRS 623A.130](#))

1. Upon the receipt of a complaint, the designated member of the Board shall review the complaint to determine if the complaint is complete by adequately setting forth:

(a) The nature of the complaint;

(b) The identity of the complainant; and

(c) The identity of the respondent.