



Landscape Architecture Licensure Laws

ASLA Summary of Provisions

ILLINOIS

Illinois Compiled Statutes: Chapter 225 ILCS 315/1-315/32
Illinois Administrative Code, Title 68, Subchapter B; Part 1275

Type of Law: Title act. Sunset date: 1/1/2020.

Landscape Architect Registration Board

Consists of one public member and four members who are qualified to be licensed landscape architects, one of whom must be a tenured member of the landscape architecture faculty of the University of Illinois. The Director of Professional Regulation appoints the board, which serves in an advisory capacity to the director. Financed through dedicated fund.

Powers: Assist the department in promulgating rules and regulations and providing expert advice and knowledge to the department in administering the act.

Definitions

Landscape Architect or Landscape Architect Design Professional: A person who, based on education, experience, and examination in the field of landscape architecture is licensed under this Act.

Landscape Architecture: The art and science of arranging land, together with the spaces and objects upon it, for the purpose of creating a safe, efficient, healthful, and aesthetically pleasing physical environment for human use and enjoyment, as performed by landscape architects.

Landscape Architectural Practice: The offering or furnishing of professional services in connection with a landscape architecture project that do not require the seal of an architect, land surveyor, professional engineer, or structural engineer. Such services may include, but are not limited to, providing preliminary studies; developing design concepts; planning for the relationships of physical improvements and intended uses of the site; establishing form and aesthetic elements; analyzing and providing for life safety requirements; developing those construction details on the site which are exclusive of any building or structure; preparing and coordinating technical submissions; and conducting site observation of a landscape architecture project.

Exemptions

The law does not prevent any person from being engaged in the practice of landscape architecture so long as he or she does not represent himself or herself as, or use the titles of, landscape architect or registered landscape architect.

Eligibility Requirements – Initial Licensure

[Passage of the LARE] and an approved professional degree in landscape architecture from an approved and accredited program and two years of approved practical experience in landscape architectural work. [A master's degree from an approved program may serve in lieu of one year of practical experience. Experience includes (but is not limited to) performing the duties of a landscape architect in a professional office or government agency under the direct supervision of a licensed landscape architect, professional engineer or licensed architect. Experience outside of Illinois must be under the direct supervision of a licensed landscape architect, professional engineer or licensed architect who is legally authorized to practice landscape architecture in the jurisdiction in which he or she is located. Experience also includes teaching or research in an approved program. All experience must be under the supervision of a landscape architect, architect or engineer.]

Note: Bracketed [] material is drawn from regulations.

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Fee: [Application, \$100. Annual renewal, \$30.]

Eligibility Requirements – Reciprocal Licensure

A CLARB certificate or licensure in another state which has equivalent or substantially equivalent requirements as Illinois.

Fee: [Application, \$100. Annual renewal, \$30.]

Practice Entities

A landscape architect may form a professional service corporation if the name of the business ends in P.C., Prof Corp, Professional Corporation, Chartered, Limited or LTD.

Seal Requirements

Plans, specifications, and reports related to landscape architectural practice and prepared by the landscape architect, or under his or her supervision, shall be stamped with his or her seal when filed. A landscape architect who endorses a document with his or her seal while his or her license is suspended, expired, or has been revoked, who has been placed on probation or inactive status, or who endorses a document that the landscape architect did not actually prepare or supervise the preparation of, is subject to penalty.

Enforcement

Department powers: Investigate unlicensed activity, refuse to issue or renew a license, revoke, suspend, place on probation, reprimand, or take other disciplinary action, including the issuance of fines not to exceed \$10,000 for each violation.

Prohibitions/penalties: The following are prohibited:

- Material misstatement in furnishing information to the department or to any other state agency.
- Negligent or intentional disregard of the laws or rules.
- Conviction of or plea of guilty or nolo contendere to any crime that is a felony, or that is a misdemeanor, an essential element of which is dishonesty, or of any crime that is directly related to the practice of the profession.
- Making a misrepresentation for the purpose of obtaining a license, or violating any provision of this act or rules.
- Professional incompetence or gross negligence in the rendering of landscape architectural services.
- Aiding or assisting another person in violating any provision of the act or its rules.
- Failing to provide information within 60 days in response to a written request by the Department
- Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public and violating the rules of professional conduct adopted by the department.
- Habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug that results in an inability to practice with reasonable skill, judgment, or safety.
- Discipline by another jurisdiction, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in the law.
- Directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate, or other form of compensation for any professional service not actually rendered.
- A finding by the board that the licensee has violated the terms of probation or failed to pay a fine imposed by the department.
- Abandonment of a client.
- Willfully filing false reports relating to a licensee's practice, including but not limited to, false records filed with federal or state agencies.

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- Being named as a perpetrator in an indicated report by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act, and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or neglected child as defined in the law.
- Physical or mental disability, including deterioration through the aging process or loss of abilities and skills that results in the inability to practice the profession with reasonable judgment, skill, or safety.
- Solicitation of professional services by using false or misleading advertising.
- Failure to file or pay taxes due.

Prohibitions/penalties for unlicensed use of title: No person may represent him/herself to be a landscape architect, use the title 'landscape architect', 'registered landscape architect', 'licensed landscape architect', 'landscape architect design professional' or any other title which includes the words 'landscape architect' or 'landscape architecture' unless licensed.

Any unlicensed person who holds out himself or herself as a landscape architect or a licensed landscape architect is guilty of a Class A misdemeanor, and for each subsequent conviction shall be guilty of a Class 4 felony.

Professional Liability

Establishes that licensees are liable for negligent or willful acts, errors, and omissions and any shareholder, member, or partner of any entity that provides landscape architecture services through an individual licensee is liable for the negligent or willful acts, errors, and omissions of the employees, members, and partners of the entity. Eligible claims of liability may be covered under a qualifying policy of professional liability insurance, maintained by an individual or entity.

A qualifying policy of professional liability insurance must insure an individual or entity against liability imposed upon it by law for damages arising out of the negligent acts, errors, and omissions of the individual or of the licensed and unlicensed employees, members, and partners of the entity. The policy may exclude coverage under specific circumstances.

Mandatory Continuing Education

24 CE hours/ 2 years

- Effective for renewal period ending August 31, 2015.
- CE hour = 50 minutes instruction or participation
- No carryover permitted
- 20 CE hours must be obtained in structured educational activities
- All CE must be in subjects directly related to the profession of landscape architecture and must be performed outside of the normal practice of one's occupation. Licensees are encouraged to emphasize HSW subjects.

Administration: Requires the division to conduct random audits to verify compliance.

Activities:

- 'Structured Educational Activities' are defined as:
 - ASLA and CLARB endorsed seminars;
 - seminars endorsed by professional organizations related to landscape architecture;
 - university courses related to landscape architecture; and
 - self-study courses presented by correspondence, internet, television, video or audio, ending with an examination or other verification process.
- 'Unstructured Credit Hours' are defined as:

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- Teaching or instructing a course or seminar related to landscape architecture for the first time only (2 CE hours earned for every hour of teaching or instructing; does not apply to faculty in the performance of their regularly assigned duties);
 - Authoring papers or articles that appear in nationally circulated publications, journals, or trade magazines or presented to a university, professional society or organization (4 CE hours per paper or presentation, but not both); and
 - Active participation on a committee or holding an office in a professional or technical society related to landscape architecture (2 CE hours per committee membership or office held).
- University Courses (Quarter credit hour = 10 CE hours; Semester credit hour = 15 CE hours)

Recordkeeping: Licensee has responsibility to maintain a 4-year record, including the name and address of the sponsor or provider, the number of hours attended in each program, the date and place of the program, and a certificate of attendance; or a log of activities that includes the date and number of hours claimed as CE, a brief statement of the subject matter, printed program schedules, registration receipts, or other proof of participation.

Reciprocity: CE hours used to satisfy the CE requirements for another jurisdiction may be applied to fulfil Illinois requirements if they meet Illinois requirements.

Exemptions:

- New licensees are not required to meet the provisions for the first biennium in which the licensee is licensed
- Licensees seeking a waiver due to extreme hardship, defined as an inability to devote sufficient hours to fulfilling the CE requirements during the applicable renewal period because of:
 - Full-time service in the U.S. armed forces during a substantial part of the renewal period;
 - An incapacitating illness; or
 - other extenuating circumstances

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