

BOARDS AND COMMISSIONS
Board of Landscape Architects
(Amendment)

201 KAR 10:080. Continuing education.

RELATES TO: KRS 323A.100(1), 323A.210(2)(a)

STATUTORY AUTHORITY: KRS 323A.100(1), 323A.210(2)(a), (b)

CERTIFICATION STATEMENT: This is to certify that this administrative regulation complies with the requirements of 2025 RS HB 6, Section 8, because the amendments to this administrative regulation will not have a major economic impact.

NECESSITY, FUNCTION, AND CONFORMITY: KRS 323A.100(1) requires a landscape architect to complete the approved continuing education hours established by an administrative regulation promulgated by the board. KRS 323A.210(2)(a) authorizes the board to promulgate administrative regulations to establish a program of continuing education for licensees. This administrative regulation establishes the continuing education requirements for a landscape architect.

Section 1. Definitions.

(1) "Annually" or "continuing education year" means a twelve (12) month period from July 1 of a calendar year through June 30 of the following calendar year.

(2) "Board" is defined by KRS 323A.010(1).

(3) "Continuing education hour" means a minimum of fifty (50) minutes of actual instruction.

(4) "Self-directed course" means a course of study that a licensee independently creates.

(5) "Sponsor" means an individual, organization, association, institution, or other entity that provides educational activity for the purpose of fulfilling the continuing education requirements of this administrative regulation.

(6) "Tour" means a review or inspection of a landscape architectural element specified in the definition of "practice of landscape architecture" established by KRS 323A.010(3).

Section 2. General Statement. Continuing education obtained by a licensee shall maintain, improve, or expand skills and knowledge obtained prior to initial licensure or develop new and relevant skills and knowledge that contribute to the health, safety, and welfare of the public.

Section 3. Continuing Education Requirements.

(1) An active ~~[A]~~ licensee shall acquire twelve (12) hours of continuing education annually.

(2) A licensee may be credited for a maximum of six (6) hours of continuing education for a tour annually.

(3) A licensee may carry forward a maximum of twelve (12) hours of continuing education to meet the subsequent year's requirements.

Section 4. Approval of Continuing Education Programs.

(1) The board shall:

(a) Approve a continuing education program that it determines:

1. Is relevant to the practice of landscape architecture;
2. Furthers the competence of a licensee; and
3. Contributes to the health, safety, and welfare of the public; and

(b) Determine the number of continuing education hours allowed.

(2)

(a) Before the continuing education program is offered, a sponsor may submit a Continuing Education Preapproval Request and Affidavit (Form #CE-2) electronically,

with an electronic~~[a]~~ copy of the hand-out materials,~~[and]~~ agenda and a description of the topic as well as the presenter, teacher, or speaker.

(b) A sponsor shall not offer, present, or advertise a program as a continuing education program that meets the continuing education requirements for a licensee unless it has obtained the approval of the board.

(3) A licensee who completes an educational program that has not been submitted to the board for prior approval shall receive continuing education credit if:

(a) The licensee submits to the board a Continuing Education Preapproval Request and Affidavit (Form #CE-2) electronically, with an electronic~~[a]~~ copy of the course materials, agenda, a description of the course, qualifications of the presenter, examination if one (1) was given; and

(b) The board determines that the program meets the requirements of a continuing education program.

(4) Self-directed courses, including those completed online, audibly, or by video, that meet the requirements of this administrative regulation shall be accepted.

(5) Continuing education credits shall be given for one-half (1/2) the number of hours, not to exceed six (6) hours, of a tour if the licensee has submitted to the board a description of the tour and the board determines that the tour meets the requirements of a continuing education program.

Section 5.

(1) Continuing education activities may include a college or university course that is beyond the basic curriculum for a landscape architect and pertains to the practice of landscape architecture. The conversion of university credits to continuing education hours shall be:

(a) One (1) university quarter hour of credit shall equal twelve (12) continuing education hours.

(b) One (1) university semester hour of credit shall equal fifteen (15) continuing education hours.

(2)

(a) A landscape architect who presents a continuing education course shall be credited with twice the number of hours equal to the time spent teaching the course.

(b) Credit shall not be given for repeated instruction of the same course.

Section 6. Reporting of Continuing Education Activities.

(1) Upon license renewal, a licensee shall report continuing education activities online via the board website for the continuing education period ending June 30.

(2) The report of continuing education activities shall include:

(a) Name of activity;

(b) Date of activity;

(c) Location of activity; and

(d) Continuing education hours earned.

(3) The report of continuing education activities shall be made online via the~~[on a]~~ Continuing Education Approval Request and Affidavit Form (Form #CE-1).

(4) A licensee shall maintain for two (2) continuing education years documentation verifying successful completion of the annual requirement.

Section 7. Verification of Continuing Education Activities.

(1) Following each renewal period, the board shall require between five (5) and fifteen (15) percent of the licensees, chosen randomly, to furnish electronic documentation of the completion of the appropriate number of continuing education hours for the previous renewal period, including hours carried forward from the previous year.

(2) Documentation of attendance and participation in a continuing education activity shall be made by electronic submission of a true and complete copy of an official document, including a:

- (a) Transcript;
- (b) Certificate of attendance;
- (c) Affidavit signed by the instructor; or
- (d) An electronic format [~~A written~~] summary of attendance and participation.

(3) If not previously approved, the board shall determine whether the continuing education program submitted is relevant to the practice of landscape architecture and furthers the competence of the licensee.

(a) If the activity qualifies as continuing education, the board shall include the number of hours earned for that activity in determining if the applicant obtained the required twelve (12) hours of continuing education.

(b) If the activity does not qualify as continuing education, the board shall deduct the number of hours claimed for that activity from the total number of hours earned by the licensee. After this calculation, if a licensee does not have the required twelve (12) hours of continuing education, the board shall send written notification to the licensee that:

1. The licensee did not meet the continuing education requirements because an activity listed on the applicant's form as a continuing education activity did not qualify for continuing education credit; and
2. The board shall suspend his or her license if the requirements of subsection (4) of this section are not met.

(4) The license of the licensee shall be suspended if the licensee fails to:

- (a) Complete the required number of continuing education hours within sixty (60) days of the notification from the board; and
- (b) Submit online to the board a completed and updated electronic Continuing Education Approval Request and Affidavit Form (Form #CE-1) within sixty-five (65) days of the notification from the board.

Section 8. Reciprocity. Credit for continuing education earned by a licensee who does not reside in Kentucky shall be granted if the licensee meets all the requirements of this administrative regulation.

Section 9. Exempt Licensee.

(1) A licensee shall be exempt from the continuing education requirements:

- (a) For the partial year period of initial licensure;
- (b) During the period of time in which the licensee has an inactive or retired license; or
- (c) If the board approves a written request for an exemption submitted electronically by the licensee in accordance with the provisions of subsection (2) of this section.

(2) A licensee may request an exemption from the continuing education requirements by submitting an electronic format [~~written~~] document stating that the licensee was:

- (a) Employed or assigned to duty outside the United States for a period exceeding 120 consecutive days during the calendar year; or
- (b) Unable to complete the requirements because of:
 1. Physical disability;
 2. Personal illness; or
 3. Illness of a family member or dependent.

Section 10. Continuing Education Required of Reinstatement or Reactivation Applicants.

(1) A licensee who has been suspended, expired, inactive or retired for a period of one (1) to five (5) years shall complete twenty-four (24) hours of continuing education hours as a condition of reinstatement or reactivation, and a licensee who has been suspended,

expired, inactive or retired for a period of less than one year shall complete twelve (12) hours of continuing education.

(2) Pursuant to KRS 323A.100(5), a licensee seeking reinstatement or reactivation who has been suspended, expired, inactive, or retired in the Commonwealth for a period of greater than five (5) years shall be required to take and pass the LARE examination within six (6) months preceding the application for reinstatement or reactivation, unless the licensee held, within the past five (5) years, an active license in another state or in another country where the qualifications prescribed at the time of licensing were, in the opinion of the board, equal to those prescribed in the Commonwealth on the date of application. If within the past five (5) years, the licensee held an active license within another state, or in another country meeting the requirements stated in this subsection, the licensee shall complete twenty-four (24) hours of continuing education hours.

(3) The Continuing Education Approval Request and Affidavit Form (Form #CE-1) submitted by an applicant seeking reinstatement or reactivation shall identify, for each continuing education activity:

- (a) Name of activity;
- (b) Date of activity;
- (c) Location of activity; and
- (d) Continuing education hours earned.

(4) Documentation of attendance and participation in a continuing education activity by an applicant for reinstatement or reactivation shall be made by electronic submission of a true and complete copy of an official document, including a:

- (a) Transcript;
- (b) Certificate of attendance;
- (c) Affidavit signed by the instructor; or
- (d) An electronic summary of attendance and participation.

(5) If the continuing education activities reported by an applicant for reinstatement or reactivation were not previously approved by the board, the board shall determine whether the continuing education program submitted is relevant to the practice of landscape architecture and furthers the competence of the licensee. Continuing education hours that are not approved by the Board shall not be counted in determining whether the applicant as satisfied requirements for reinstatement or reactivation.

Section 11. Incorporation by Reference.

(1) "Continuing Education Preapproval Request and Affidavit Form" (Form #CE-2), 1/2025, ~~[The following material]~~ is incorporated by reference~~[-]~~

~~[(a)] ["Continuing Education Approval Request and Affidavit Form" (Form #CE-1), May 2002 edition; and]~~

~~[(b)] ["Continuing Education Preapproval Request and Affidavit Form" (Form #CE-2), May 2002 edition].~~

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at Kentucky Board of Landscape Architects, 1714 Perryville Road, Suite 200, Danville, Kentucky 40422~~[2365 Harrodsburg Road, B350, Lexington, Kentucky 40504]~~, Monday through Friday, 8 a.m. to 4:30 p.m. This material is also available~~[- on the agency's Web site]~~ at <https://kbla.ky.gov/Pages/Resources.aspx>~~[kbla.ky.gov]~~.

GARY WOLNITZEK, Chairperson

APPROVED BY AGENCY: May 20, 2025

FILED WITH LRC: August 15, 2025 at 9:45 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on October 22, 2025 at 10:00 a.m. at the Kentucky

Board of Landscape Architects, 1712 Perryville Rd, Suite 200, Danville, Kentucky 40422. Individuals interested in being heard at this hearing shall notify this agency in writing by October 15, 2025, five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through October 31, 2025. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Morgan G. Ransdell, Board Attorney, Kentucky Board of Landscape Architects, 1712 Perryville Rd, Suite 200, Danville, Kentucky 40422; phone (502) 665-9600, email Morgan.Ransdell@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: Morgan G. Ransdell

Subject Headings: Boards and Commissions, Landscape Architects, Occupations and Professions

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This administrative regulation establishes the continuing education requirements for a landscape architect.

(b) The necessity of this administrative regulation:

KRS 323A.100(1) requires a landscape architect to complete continuing education hours as established in administrative regulations promulgated by the board, which makes this administrative regulation necessary.

(c) How this administrative regulation conforms to the content of the authorizing statutes:

KRS 323A.210(2)(a) authorizes the board to promulgate this administrative regulation to establish continuing education requirements for licensees.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

KRS 323A.210(2)(a) authorizes this regulation, which is needed by licensees to meet the statutory requirement that they complete continuing education as a condition of renewal of licensure.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

The amendment implements paperless processes, and states the longstanding continuing education requirements applicable to reinstatement or reactivation applicants.

(b) The necessity of the amendment to this administrative regulation:

The amendment is needed to implement paperless processes, and to codify the longstanding continuing education requirements applicable to reinstatement or reactivation applicants.

(c) How the amendment conforms to the content of the authorizing statutes:

Reinstatement of licensure is a direct corollary to suspension of licensure, which is authorized by KRS 323A.110. By codifying continuing education requirements for reinstatement and reactivation applicants, the amendment implements KRS 323A.100(1).

(d) How the amendment will assist in the effective administration of the statutes:

The amendment ensures that reinstatement and reactivation applicants receive continuing education, as is required of renewal applicants by KRS 323A.100(1).

(3) Does this administrative regulation or amendment implement legislation from the previous five years? No.

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

The 347 licensees subject to the Board's regulatory authority, and future applicants.

(5) Provide an analysis of how the entities identified in question (4) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (4) will have to take to comply with this administrative regulation or amendment:

The amendment requires licensees and applications to submit continuing education information electronically, and codifies the longstanding continuing education requirements applicable to reinstatement and reactivation applicants.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4):

The amendment does not alter the fees paid by applicants for initial licensure, renewal, and reinstatement, nor does it change the requisite number of continuing education hours.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4):

Licensees who complete continuing education will maintain competence and eligibility for renewal, reinstatement or reactivation of licensure.

(6) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially:

There are no monetary costs associated with the implementation of the amendment, either initially or on an ongoing basis.

(b) On a continuing basis:

There are no monetary costs associated with the implementation of the amendment, either initially or on an ongoing basis.

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation or this amendment:

Agency funds.

(8) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:

No fee increase or funding is required.

(9) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

It does not.

(10) TIERING: Is tiering applied?

Tiering is not applied.

FISCAL IMPACT STATEMENT

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation:

KRS 323A.100(1), 323A.210(2)(a), (b).

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act:

KRS 323A.210(2)(b) authorizes the agency to adopt all reasonable administrative regulations consistent with this chapter that are necessary to carry into effect the purposes of this chapter.

(3)(a) Identify the promulgating agency and any other affected state units, parts, or divisions:

The Kentucky Board of Landscape Architects. (b)

(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):

1. Expenditures:

For the first year:The amendment will not impact expenditures.

For subsequent years:The amendment will not impact expenditures.

2. Revenues:

For the first year:The amendment will not impact revenues.

For subsequent years:The amendment will not impact revenues.

3. Cost Savings:

For the first year:The amendment will not result in cost savings.

For subsequent years:The amendment will not result in cost savings.

(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts):

None.

(b) Estimate the following for each affected local entity identified in (4)(a):

1. Expenditures:

For the first year:N/A

For subsequent years:N/A

2. Revenues:

For the first year:N/A

For subsequent years:N/A

3. Cost Savings:

For the first year:N/A

For subsequent years:N/A

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a):

Licensure applicants and licensees.

(b) Estimate the following for each regulated entity identified in (5)(a):

1. Expenditures:

For the first year:The amendment does not alter the fee amounts paid by licensure applicants and licensees.

For subsequent years:The amendment does not alter the fee amounts paid by licensure applicants and licensees.

2. Revenues:

For the first year:No revenues to estimate.

For subsequent years:No revenues to estimate.

3. Cost Savings:

For the first year:No cost savings for regulated entities.

For subsequent years:No cost savings for regulated entities.

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a)

(a) Fiscal impact of this administrative regulation:

No impact. Neither the regulation nor the amendment impose fees.

(b) Methodology and resources used to reach this conclusion:

None.

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):

(a) Whether this administrative regulation will have a "major economic impact", as defined by KRS 13A.010(14):

This administrative regulation will not have a major economic impact as it relates to the entities identified in (3)(a), (4)(a), and (5)(a).

(b) The methodology and resources used to reach this conclusion:

None.