

# Licensure Factsheet: Title Act vs. Practice Act

*Licensure* refers to state licensing of individuals who have successfully met education, training, and examination requirements, thus proving their competency to professionally practice landscape architecture. In landscape architecture, states generally require landscape architects to hold a landscape architectural degree, several years of diverse experience working under the direct supervision of a licensed landscape architect, and passage of the Landscape Architect Registration Examination. Holding a license represents a legal right to engage in activity otherwise prohibited by law, as well as a legal responsibility to take accountability for all work projects.

If a state has a law regulating landscape architecture, it can take one of two forms, a *practice act* or a *title act*.

**What is a Title Act?** Under a state title act, unqualified individuals may not call themselves a landscape architect. However, they may still perform the work of a landscape architect.

**What is a Practice Act?** A practice act prohibits unqualified individuals from calling themselves a landscape architect and from practicing the profession. This is the strongest form of regulation to ensure the protection of the public health, safety, and welfare. All laws that regulate the practice of the profession also include the protection of a title act.

## Licensure, Certification, and Registration

We commonly refer to all forms of professional regulation as registration, but there are actually three categories of regulation: licensure; certification; and registration:

- *Registration* is the weakest of the three mechanisms and it is used when the threat of harm to the public is low. An individual must file his/her name and contact information with a specified state agency. There may or may not be qualification requirements to file. This primarily serves as a state roster of practitioners. Currently, this mechanism is not used to regulate landscape architects in the United States.
- *Certification* is the term used when a profession is regulated under a Title Act. Only individuals who have met certain standards can achieve certification and use the title "landscape architect." Currently, nine states use certification to regulate the landscape architecture profession.
- *Licensure* is the term used when a profession is regulated under a Practice Act. A practice act prohibits unqualified individuals from calling themselves a landscape architect and from practicing the profession. This is the strongest form of regulation designed to ensure the protection of the public health, safety, and welfare. Thirty-eight states license landscape architects under a Practice Act.
- In reality, there are many cases where the appropriate terminology is not used by state regulatory boards (and in legislative language). Often the terms "licensed", "registered," and "certified" have been used interchangeably among the states, even when the regulation is licensure under a Practice Act. Some states even use more than one of the terms. In some cases registration is the preferred terminology, even though no state actually regulates landscape architects in this way. This is not unique to landscape architecture – the other design professions face similar confusion.