

APELSCIDLA Board
TENTATIVE Agenda

November 15, 2022, 10:00 a.m.

Board Room 2

Department of Professional & Occupational Regulation

9960 Mayland Drive

Richmond, Virginia 23233

804-367-8506

1. Call to Order
2. Emergency Evacuation
3. Approval of Agenda
4. Approval of Minutes
 - APELSCIDLA Board Meeting, May 11, 2022
 - Land Surveyors Section Meeting, May 11, 2022
 - Regulatory Review Committee Meeting, August 3, 2022
5. Public Comment
6. File Review
 - File Number 2022-01036 Musab Al-Tamimi
IFF (Stone) – Licensing
 - File Number 2022-00672 James Michael Powers
IFF (Zmuda) – Licensing
 - File Number 2021-02168 Frank Pajaro
IFF (Eldridge) – Licensing
 - File Number 2022-01751 Scott Alley
IFF (Eldridge) – Licensing
 - File Number 2022-01610 Negussu Solomon
CO (Kelly) – Disciplinary
 - File Number 2022-01941 Matthew Charles Bolick
CO (Nair) – Disciplinary
7. Landscape Architects
 - CLARB Update
 - i. CLARB's Mid-Year Financial Update & Register for August's Regional Meetings – Emailed July 15, 2022

- ii. Regional Meeting Recap (and L.A.R.E. Information) – Emailed August 25, 2022
- iii. 2022-2023 CLARB Leadership Elections Results – Emailed October 20, 2022

8. Professional Engineers

- NCEES Update – Andy Zoutewelle, NCEES Southern Zone Vice President
 - i. Motions to be Presented at the 2022 Annual Meeting
 - ii. NCEES Action Items and Conference Reports Available Now – Emailed July 5, 2022
 - iii. In Support of Western Zone Motion 1 – Emailed August 10, 2022
 - iv. Southern Zone State Reports for August – Emailed August 15, 2022
 - v. NCEES News Releases for the 2022 Annual Meeting – Emailed September 16, 2022

9. Land Surveyors

- NCEES Update (as above)
- VAS Summer Seminar, June 10, 2022
- VAS Fall Seminar, September 30, 2022
- VAS: Celebrating the 50th Anniversary of the Brooks Act – Emailed October 27, 2022

10. Architects

- AIA
 - i. AIA Newsletters – Emailed May 12, 2022 and July 13, 2022
 - ii. AIA Virginia Member News for August – Emailed August 10, 2022
 - iii. AIA Virginia Design Awards Announced – Emailed October 12, 2022
- NCARB Update
 - i. United States and United Kingdom Ratify Reciprocity Agreement for Architects – Green Handout
 - ii. ARE Update: You Can Now Schedule Exams with PSI – Emailed April 27, 2022
 - iii. May Board Member Reports – Emailed June 7, 2022
 - iv. ARE Update: Welcome to PSI – Emailed June 14, 2022
 - v. ARE Update – NCARB Has Migrated to PSI – Emailed June 14, 2022
 - vi. NCARB Fast Facts – June Special Edition – Emailed June 21, 2022
 - vii. June Member Board KPI Reports – Emailed July 8, 2022
 - viii. ARE Update – Two New Accommodations for Architect Registration Examination Candidates – Emailed July 13, 2022
 - ix. NCARB Updates for March, April, and May – Emailed May 25, 2022 and July 8, 2022
 - x. Member Board Data Report for April and March – Emailed May 5, 2022 and May 26, 2022
 - xi. A Recap of NCARB's 2022 Annual Business Meeting – Emailed July 19, 2022

- xii. June NCARB Update – Emailed July 19, 2022
- xiii. National Architect: Get to Know NCARB’s New President – Emailed July 28, 2022
- xiv. July Member Board Report – Emailed August 4, 2022
- xv. Destination Architect: Prepare for the ARE with our Test Prep Resources – Emailed August 10, 2022
- xvi. NCARB July Fast Facts – Emailed August 15, 2022
- xvii. Get the Latest Updates on NCARB by the Numbers – Emailed August 15, 2022
- xviii. Reminder: Get the Latest Updates on NCARB by the Numbers – Emailed August 18, 2022
- xix. July NCARB Update – Emailed August 18, 2022
- xx. August Member Board Reports – Emailed September 12, 2022
- xxi. ARE Update – ARE 5.0 Guidelines Changes – Emailed September 16, 2022
- xxii. AXP Update: FREE Practice Exams Now Available for All Candidates – Emailed September 18, 2022
- xxiii. August NCARB Update – Emailed September 22, 2022
- xxiv. NCARB August Fast Facts – Emailed September 26, 2022
- xxv. September Member Board Report – Emailed October 7, 2022
- xxvi. NCARB September Fast Facts – Emailed October 26, 2022
- NCARB Exam Accommodations Press Release
 - i. 18VAC10-20-55
 - ii. 18VAC10-20-140

11. Certified Interior Designers

- CIDQ Update
 - i. ICOR Overlapping Practice Webinar, Occurred May 26, 2022 – Emailed May 11, 2022
 - ii. CIDQ Q Connection Summer 2022 – Emailed July 5, 2022
 - iii. International Code Council and American Society of Interior Designers Announce Partnership
 - iv. 2023 CIDQ Board of Directors Ballot – Emailed August 1, 2022
 - v. NEW! Interactive 3D Tool – Emailed September 20, 2022
 - vi. DEI – Introducing My Design Journey – Emailed October 12, 2022
 - vii. CIDQ Q Connection Fall 2022 – Emailed October 12, 2022
 - viii. The Journey Begins Now – Emailed October 12, 2022
 - ix. CIDQ Annual Report 2022 – Emailed October 26, 2022

12. Communication from Alliance for Responsible Professional Licensing (NCARB, CLARB, and NCEES are all members)

13. Regulatory Update

- Fee Adjustment – Pink Handout
- Regulatory Review Committee – Regulatory Update Black Packet
 - i. Business Licenses

- ii. Project Supervision or Responsible Charge Resident
- iii. Land Surveyors Regulations
- iv. Proposed Professional Engineer Regulatory Changes

14. Cases Closed with No Violations Update

15. Licensed and Certified Population

16. Financial Statements

17. Election of Officers

18. Approval of 2023 Meeting Dates

19. Other Business

20. Conflict of Interest and Travel Vouchers

21. Adjourn

NEXT MEETING SCHEDULED FOR *February 8, 2023*

Agenda materials available to the public do not include disciplinary case files or application files pursuant to §54.1-108 of the Code of Virginia.

**Five minute public comment, per person, with the exception of any open disciplinary or application files.*

Persons desiring to participate in the meeting and requiring special accommodations or interpretative services should contact the Department at (804) 367-8514 at least ten days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department fully complies with the Americans with Disabilities Act.

➤ **Call to Order**

➤ **Emergency Evacuation**

DRAFT AGENDA

Materials contained in this agenda are proposed topics for discussion
And are not to be construed as regulation or official board position

DRAFT AGENDA

BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND
SURVEYORS, CERTIFIED INTERIOR DESIGNERS AND LANDSCAPE
ARCHITECTS MEETING MINUTES

The Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA Board) met on May 11, 2022 at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia, with the following members present for all or part of the meeting:

Architects

Tim Colley
April Drake
Mel Price

Professional Engineers

James Kelly
Christopher Stone

Land Surveyors

Doyle Allen
Vickie Anglin
Mike Zmuda

Interior Designers

Caroline Alexander
Cameron Stiles

Landscape Architects

Frank Hancock, III
Ann Stokes

Citizen Members

Karen Reynes
Hypatia Alexandria

Vinay Nair was not present at the meeting with regrets.

Staff present for all or part of the meeting were:

Demetrious J. Melis, Director
Shannon Webster, Workforce Development Director
Bonnie Davis, Board Operations Administrator
Amy Goobic, Executive Assistant
Breanne Henshaw, Administrative Coordinator
Julie Jackson-Bailey, Post Adjudication & Licensing Specialist

Kathleen (Kate) Nosbisch, Executive Director, and Kishore Thota, Chief Deputy Director, were not present with regrets.

Members of the audience:

R. Corey Claiborne, FAIA, NOMA, MBA, Executive AIA Virginia, Vice President
Georg Dahl, Virginia Society of Professional Engineers (VSPE) STEM and Educational Outreach Lead for Tidewater/Hampton Roads Chapter

Elizabeth Peay, Assistant Attorney General with the Office of the Attorney General, was present.

Finding a quorum of the Board present, Ms. Stokes, Chair, called the meeting to order at 10:03 a.m.

Call to Order

Ms. Stokes advised the Board of the emergency evacuation procedures.

Emergency Evacuation

Ms. Davis welcomed Breanne Henshaw, Administrative Coordinator for the Board. Board members introduced themselves.

Announcements

Ms. Alexandria arrived at 10:05 a.m.

Arrival of Board Member

Mr. Stone moved to approve the agenda as presented. Ms. Stiles seconded the motion which was unanimously approved by: Alexander, Alexandria, Allen, Anglin, Colley, Drake, Hancock, Kelly, Price, Reynes, Stiles, Stokes, Stone, and Zmuda.

Approval of Agenda

Mr. Stone moved to approve the February 9, 2022, Board meeting minutes, the February 9, 2022, Regulatory Review Committee meeting minutes, the February 9, 2022, Land Surveyors Section Meeting, and the March 25, 2022, Regulatory Review Committee. Mr. Kelly seconded the motion which was approved by: Alexander, Alexandria, Allen, Anglin, Colley, Drake, Hancock, Kelly, Price, Reynes, Stiles, Stokes, Stone, and Zmuda.

Approval of Minutes

There was no one present for public comment.

Public Comment Period

Regarding **File Number 2022-00669, Quentin Leroy Richmond**, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the application file, transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference. Mr. Stone moved to accept the recommendation of the presiding officer and approve Mr. Richmond's application for professional engineer by exam. Mr. Kelly seconded the motion which was unanimously approved by members: Alexander, Alexandria, Allen, Anglin, Colley, Drake, Hancock, Kelly, Price, Reynes, Stiles, Stokes, Stone, and Zmuda.

File Number 2022-00669, Quentin Leroy Richmond

Mr. Kelly recused himself from the meeting for discussion and deliberation of the file.

Recusal of Board Member

Regarding **File Number 2021-02537, Ruojun Xiong**, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of

File Number

the application file, transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference. Mr. Stone moved to accept the recommendation of the presiding officer and approve Mr. Richmond's application for professional engineer by exam. Ms. Anglin seconded the motion which was unanimously approved by members: Alexander, Alexandria, Allen, Anglin, Colley, Drake, Hancock, Price, Reynes, Stiles, Stokes, Stone, and Zmuda. As the presiding Board member, Mr. Kelly was not present for the discussion or vote.

2021-02537,
Ruojun Xiong

Regarding **File Number 2022-00140, JDS Consulting, LLC**, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the application file, transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference. Mr. Stone moved to accept the recommendation of the presiding officer and approve JDS Consulting LLC's application for business entity registration. Mr. Price seconded the motion which was unanimously approved by members: Alexander, Alexandria, Allen, Anglin, Colley, Drake, Hancock, Price, Reynes, Stiles, Stokes, Stone, and Zmuda. As the presiding Board member, Mr. Kelly was not present for the discussion or vote.

File Number
2022-00140,
JDS Consulting,
LLC

Regarding **File Number 2022-00230, Rodrigo Edwin Veizaga**, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the application file, transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference. Mr. Stone moved to accept the recommendation of the presiding officer and deny Mr. Veizaga's application for professional engineer by exam. Ms. Anglin seconded the motion which was unanimously approved by members: Alexander, Alexandria, Allen, Anglin, Colley, Drake, Hancock, Price, Reynes, Stiles, Stokes, Stone, and Zmuda. As the presiding Board member, Mr. Kelly was not present for the discussion or vote.

File Number
2022-00230,
Rodrigo Edwin
Veizaga

The Board discussed the file and indicated they would like to include language in the letter to Mr. Veizaga, which states this denial does not preclude Mr. Veizaga from sitting for the exam as it is based on the need for additional experience.

Mr. Fennell was present at the meeting, but did not wish to address the Board.

File Number
2022-00456,
Kenneth Davis
Fennell

Regarding **File Number 2022-00456, Kenneth Davis Fennell**, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the application file, transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference. Mr. Stone moved to accept the recommendation of the presiding officer and approve Mr. Fennell's application for professional engineer by comity. Mr. Price seconded the motion which was unanimously approved by members: Alexander, Alexandria, Allen, Anglin, Colley, Drake, Hancock, Price, Reynes, Stiles, Stokes, Stone, and Zmuda. As the presiding Board member, Mr. Kelly was not present for the discussion or vote.

Regarding **File Number 2022-00671, Ahmad Karim**, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the application file, transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference. Mr. Stone moved to accept the recommendation of the presiding officer and deny Mr. Karim's application for professional engineer by comity. Ms. Stiles seconded the motion which was unanimously approved by members: Alexander, Alexandria, Allen, Anglin, Colley, Drake, Hancock, Price, Reynes, Stiles, Stokes, Stone, and Zmuda. As the presiding Board member, Mr. Kelly was not present for the discussion or vote.

File Number
2022-00671,
Ahmad M.
Raof Karim

Regarding **File Number 2022-01038, Syed Masroor**, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the application file, transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference. Mr. Stone moved to accept the recommendation of the presiding officer and approve Mr. Masroor's application for professional engineer by exam. Mr. Doyle seconded the motion which was unanimously approved by members: Alexander, Alexandria, Allen, Anglin, Colley, Drake, Hancock, Price, Reynes, Stiles, Stokes, Stone, and Zmuda. As the presiding Board member, Mr. Kelly was not present for the discussion or vote.

File Number
2022-01038
Syed Abulhair
Masroor

Mr. Kelly returned to the meeting.

Return of
Board Member

Ms. Davis stated the CLARB March Board of Directors Meeting Takeaways were emailed to Board members on March 29, 2022. Ms. Nobsch participated in the Mid-Year Call for CLARB on April 20, 2022. Resolutions one and two were passed as amended, while Resolution three passed.

Landscape
Architect
Update

The Annual Meeting will be in Omaha, NE on September 21 – 23, 2022.

Ms. Davis provided the NCEES update. The proposed changes to the NCEES bylaws was emailed to Board members on February 22, 2022 and they will be voted on at the Annual Meeting taking place on August 23 – 26, 2022. Mr. Kelly, Mr. Allen, Ms. Anglin, and Ms. Nobsch have submitted requests to attend.

Professional
Engineer
Update

The NCEES Central/Southern Zone Joint Meeting occurred on April 21 – 23 and was attended by Ms. Anglin, Mr. Allen, and Mr. Kelly. Mr. Allen stated NCEES is trying to change the exam and there is currently a PAKS study occurring and it will close at the end of May 2022. The results of this study will determine how NCEES moves forward in regards to the exam.

Ms. Davis stated the NCEES 2021 Annual Report, Annual Meeting Minutes and Reference Material 2021, and Squared books are available for reference.

Ms. Davis stated the NCEES update for land surveyors is the same as mentioned above. **Land Surveyor Section Update**

The Board had a moment of silence in remembrance of former Board member, Bill Sirine. Mr. Sirine was on the APELSCIDLA Board from 1992 – 2002 and he had previously been president of VAS.

The Governor's Proclamation declared March 20 – 26, 2022, as Virginia's Surveyor's Week.

Ms. Davis stated the AEC Spring Conference took place in Virginia Beach on March 17 – 18, 2022. The AIA Newsletters were emailed to Board members on February 17, March 17, and April 20, 2022. AIA Virginia Honor Award nominations are due by June 17, 2022. Board member, Ms. Drake, was mentioned in the March 22 Member News Article, Empowering. **Architect Section Update**

Ms. Davis stated exam applicants can now schedule their exams through the new vendor, PSI, and the first test with PSI will be on June 14, 2022.

NCARB submitted an inquiry on whether the Board would accept scores for their exams if they allowed non-native English speakers taking the exam to use bi-lingual dictionaries or allow them to have additional time to complete the exam. The Board discussed NCARB's inquiry and indicated they would need additional details as to what this accommodation would entail. The Board would like to know what other states are doing to accommodate non-native English speakers along with details such as who would be providing the bi-lingual dictionaries and how it would be determined who is eligible for the accommodations, as well as how much additional time will be allowed. The Board also compared this to the TOEFL exam, which requires a certain level of proficiency in the English language.

The NCARB Data by Jurisdiction Report for Virginia was emailed to Board members on March 8, 2022. The exam candidates for January and February remained at 2,733, but record holders dropped from 2,733 in January to 2,705 in February. The Board of Director nominations are approaching for NCARB. The NCARB Regional Summit occurred on March 3 – 5, 2022. Ms. Nobsch, Mr. Colley, and Ms. Reynes attended. Mr. Colley stated there was a 50/50 of people attending virtually and in-person. Ms. Reynes stated there was emphasis on Diversity, Equity, and Inclusion (DEI), which allowed for great conversation amongst the attendees of the summit. The NCARB Annual Business Meeting will take place as a hybrid meeting in Austin, TX from June 2 – 4, 2022. Ms. Nobsch

and Ms. Reynes have been approved to attend in person.

The Board discussed the letter from Robert Easter regarding Hampton University's Path to Licensure Program (IPAL) application. The Board reviewed a draft letter and discussed changing the language of the letter to ensure it is clear the Board will endorse the program. Historically Black Colleges and Universities are submitting applications to NCARB to implement an IPAL program. In 2017, AIA's Large Firm Roundtable issued a 2030 challenge to increase the percentage of African American registered architects to 4%. In September of 2021, administrators from seven HBCU programs agreed to craft a joint IPAL program, which will need to fit within the existing curriculum of the school. Ms. Price made a motion to approve the request. Mr. Colley seconded the motion which was unanimously approved by: Alexander, Alexandria, Allen, Anglin, Colley, Drake, Hancock, Kelly, Price, Reynes, Stiles, Stokes, Stone, and Zmuda.

Ms. Davis stated information regarding the Lois S. Tregre Award was emailed to Board members on March 17, 2022 and nominations are due by May 13, 2022. The CIDQ Q&A Session on the Joint Report that took place on April 6, 2022, was emailed to Board members on March 22, 2022. CIDQ Board Service Opportunities information was emailed to Board members on March 29, 2022.

Certified
Interior
Designer
Section Update

The NOIRA regulation for the pending Fee Adjustment did not receive any comments on TownHall. The Board discussed the Fee Adjustment and asked questions surrounding the reason for an increase or decrease within the particular fee changes. Mr. Melis indicated the Callahan Act informs the agency how to go about setting fees for each regulatory board. As costs increase and the reserve decreases, fee adjustments are made to increase the amount within the reserve. The Board further discussed moving the discussion of the fee adjustment to a Regulatory Review Committee meeting in order to decide where they would like to allocate a fee increase. Mr. Allen made a motion to support the fee adjustment. Mr. Kelly seconded the motion which was approved by: Alexandria, Allen, Colley, Drake, Hancock, Kelly, Price, Reynes, Stokes, Stone, and Zmuda. Ms. Alexander, Ms. Anglin, and Ms. Stiles opposed.

Regulatory
Update

During the Regulatory Review Committee (RRC) update, Mr. Stone indicated there were a few items that were to be discussed with the full Board. The RRC discussed business licenses for sole proprietors at the meeting on March 25, 2022, and whether the Board's intent was for all businesses be required to register with the Board. Upon review by counsel the regulation is in conflict with statute 54.1-411.B. The Board determined another RRC meeting will need to take place with Ms. Peay in attendance. Mr. Stone requested the changes for Professional Engineer licensing requirements should be on the next agenda for the Board to review. The RRC also

discussed Land Surveyor experience and Ms. Anglin indicated this will be discussed at the Land Surveyor section meeting which immediately follows this meeting and will be placed on the agenda of the full Board meeting in August.

Mr. Allen indicated he'd like to discuss the remote project supervision issue as it may not have been properly vetted. Ms. Alexander stated currently there are firms in existence that do not have a physical address as their employees work in different locations, which would constitute remote supervision. Mr. Stone made a motion to review remote project supervision at the next RRC meeting. Mr. Colley seconded the motion which was unanimously approved by: Alexander, Alexandria, Allen, Anglin, Colley, Drake, Hancock, Kelly, Price, Reynes, Stiles, Stokes, Stone, and Zmuda.

Ms. Davis informed the Board of two business agreements that had been executed since the last Board meeting; S.A. Miro Inc. and Fortis Architecture PLLC.

Business Agreement Updates

Ms. Davis stated on February 25, 2022, an architect requested a CE extension. The request was reviewed by Ms. Price and a three month waiver was offered. The expiration date for this waiver is May 26, 2022 and the CE has not yet been received.

CE Waiver Updates

The licensee counts as of April 1, 2022:

| | |
|---------------------------------|--------|
| APELSCIDLA Businesses | 4,539 |
| Architects | 7,658 |
| Professional Engineers | 30,315 |
| Land Surveyors | 1,235 |
| Land Surveyors B | 67 |
| Land Surveyor Photogrammetrists | 100 |
| Certified Interior Designers | 478 |
| Landscape Architects | 942 |

Licensed and Certified Population

Ms. Davis stated the financial statements were provided for informational purposes only.

Financial Statements

The following Board members second term expires June 30, 2022, so they cannot be reappointed, but continue to serve until such time they are replaced: Mike Zmuda, Christopher Stone, and Cameron Stiles. The Board thanked the Board members for their service and invited them back for their resolutions once their service on the Board is concluded

Recognition of Board Members completing their Second Term

Ms. Davis announced that Board members should save the date of the next Board Member Conference, taking place October 13 – 14, 2022, in Williamsburg. Additional information is forthcoming. **Other Business**

Conflict of Interest forms and Travel Vouchers were completed by all Board members present. **Conflict of Interest Forms / Travel Vouchers**

There being no further business, the meeting was adjourned at 11:39 a.m. **Adjourn**

Ann Stokes, Chair

Demetrios J. Melis, Secretary

LAND SURVEYORS SECTION OF THE BOARD FOR ARCHITECTS,
PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR
DESIGNERS AND LANDSCAPE ARCHITECTS MEETING MINUTES

The Land Surveyors Section of the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA Board) met on May 11, 2022 at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia, with the following members present for all or part of the meeting:

Land Surveyors

Doyle Allen
Vickie Anglin
Mike Zmuda

Staff present for all or part of the meeting were:

Bonnie Davis, Board Administrator
Breanne Henshaw, Administrative Coordinator

Kate Nosbisch, Executive Director, was not present with regrets.

Elizabeth Peay, Assistant Attorney General with the Office of the Attorney General, was not present with regrets.

Finding a quorum of the Section present, Mr. Zmuda, Section Chair, called the meeting to order at 12:32 p.m.

Mr. Allen added two items to the agenda, which were regarding the Professional Activities and Knowledge Study (PAKS) by NCEES and a discussion of enforcement reporting. Mr. Allen made a motion to approve the agenda as amended. Ms. Anglin seconded the motion which was unanimously approved by: Allen, Anglin, and Zmuda.

There were no public comments.

The Section reviewed Regulation 18VAC10-20-300 through 18VAC10-20-382 in depth. The Section agreed to review the revised regulations at the next APELSCIDLA Regulatory Review Committee.

The Section discussed the PAKS survey and indicated the questionnaire should be distributed to regulants, which will include Land Surveyor, Land Surveyor B, and

Call to Order

**Approval of
Agenda**

**Public
Comment
Period**

**Regulations
18VAC10-20-
300 through
18VAC10-20-
382**

PAKS Study

Land Surveyor Photogrammetrist licensees. This study will assist NCEES ensure the NCEES Principles and Practice (PS) examination will include content related to current practice for the professions. Mr. Allen stated he will send an email with draft language to staff for distribution to regulants.

The Section discussed the enforcement cases that are closed with no violation and would like to have a report at each APELSCIDLA Board meeting, which states the number of cases closed with no violation. The Section's concern being that there are cases closed, which may require a technical review in order to determine if the case should have moved forward.

Enforcement

Mr. Zmuda asked about examinations and if there are currently any issues. The Section would like to know what the pass rates are, if there are any problems, and what are the LS state specific exam rates.

Other Business

Conflict of Interest forms and Travel Vouchers were completed by all Board members present.

**Conflict of
Interest Forms /
Travel
Vouchers**

There being no further business, the meeting was adjourned at 3:34 p.m.

Adjourn

Mike Zmuda, Section Chair

Demetrios J. Melis, Secretary

Regulatory Review Committee of the BOARD FOR ARCHITECTS,
PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR
DESIGNERS AND LANDSCAPE ARCHITECTS MEETING MINUTES

The Regulatory Review Committee of the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA Board) met on August 3, 2022 at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia, with the following members present for all or part of the meeting:

Caroline Alexander
Vickie McEntire Anglin
Karen Reynes
Chris Stone

Frank Hancock, III and April Drake were not present at the meeting. Former Board member Robert A. Boynton was present.

Staff present for all or part of the meeting were:

Demetrios Melis, Director
Kishore Thota, Chief Deputy Director
Kathleen (Kate) R. Nosbisch, Executive Director
Breanne Henshaw, Administrative Coordinator

Members of the audience:

Georg Dahl, Virginia Society of Professional Engineers (VSPE) STEM and Educational Outreach Lead for Tidewater/Hampton Roads Chapter

Elizabeth Peay, Assistant Attorney General with the Office of the Attorney General, was present.

Finding a quorum of the Board present, Mr. Stone called the meeting to order at 10:03 a.m.

Call to Order

Mr. Stone advised the Board of the emergency evacuation procedures.

**Emergency
Evacuation**

Ms. Alexander moved to approve the agenda as amended. Ms. Anglin seconded the motion which was unanimously approved by: Alexander, Anglin, Reynes, and Stone.

**Approval of
Agenda**

There was no public comment.

**Public
Comment
Period**

The Committee was presented with the Governor's Executive Order Number 19. Ms. Nosbisch presented the Regulatory Review 101 PowerPoint: *What You Need to Know About the Regulatory Review Process*. After the PowerPoint, the Board discussed the twenty-five percent regulatory reduction. Mr. Melis informed the Committee that the twenty-five percent regulatory reduction is not for the APELSCIDLA Board to take on within their regulations, but is an expectation for all regulatory Boards combined. The Board discussed concerns regarding the regulations that they are to consider reducing, such as entry requirements and Mr. Melis indicated the goal for regulatory reduction is not to take out the regulations that are needed in regards to the minimum competency requirements. Mr. Melis stated the goal is to look at the regulations and determine if the regulation is needed to protect the health, safety, and welfare of the public.

**Regulatory
Review 101**

The Committee recessed from 11:00 a.m. to 11:10 a.m.

Recess

Discussion was held on whether a sole proprietorship of an APELSCIDLA business, must register as a business entity, as it conflicts with statute. Ms. Nosbisch informed the Board of the potential financial impact of not having sole proprietorships register for a business license. The potential financial impact would be \$1,715.00 dollars in lost renewal revenue. The Committee agreed, with Ms. Peay's interpretation, that the Board should not require sole proprietorships, who do not employ licensees, to register as a business entity.

**Business
Licenses**

Ms. Nosbisch informed the Committee that this agenda item has been presented in order to address the concerns licensees have in regards to compliance of 18VAC10-20-780.B. This regulation requires the resident responsible person to be present at the brick and mortar location for the business, but there are businesses who have not re-opened due to the COVID-19 pandemic. The Committee discussed how the regulation and made a recommendation to change the regulation by requiring the responsible person to be "available" rather than be "resident" at the place of business. It is anticipated this can be Fast Tracked as there is no opposition expected.

**Project
Supervision or
Responsible
Charge
Resident**

The Committee discussed the recommended changes that occurred during the Land Surveyors Section Meeting, which took place on May 11, 2022. After discussion, the Committee decided to present the Board with revisions that were made to 18VAC10-20-310.B., 18VAC10-20-370.C., 18VAC10-20-380., and 18VAC10-20-382B. The recommended changes that will be presented to the Board are in regards

**Land Surveyors
Regulations**

to providing clarification, while the other changes discussed during the Land Surveyors Section Meeting are to be discussed further at future regulatory review meetings.

Ms. Nobsch requested the Committee consider adding the twenty years of experience entry to licensure option back to 18VAC10-20-210. The Committee discussed this option and agreed by consensus to recommend adding the previous language used back to 18VAC10-20-210. as number five.

Professional Engineer Regulations

Mr. Stone presented the Committee changes to the Professional Engineer regulations by recommending the Board remove 18VAC10-20-200. and in it's place add 18VAC10-20-190 back into the regulations. The Board discussed this recommendation and agreed by consensus to present the proposed at the next Board meeting.

The Committee discussed how regulations are understood and interpreted by licensing staff when reviewing applications. Ms. Anglin inquired about the submission of documentation when an applicant is required to reapply after their original application has expired. The Committee discussed Ms. Anglin's inquiry and agreed that the applicant should be required to submit additional documentation if there was a change to the application or regulations, however, if there was no change to the requirement, then the applicant should not be required to submit the same documentation that had been previously submitted.

Other Business

Conflict of Interest forms and Travel Vouchers were completed by all Committee members present.

Conflict of Interest Forms / Travel Vouchers

There being no further business, the meeting was adjourned at 1:15 p.m.

Adjourn

Chris Stone, Vice Chair

Demetrios J. Melis, Secretary

➤ **Public Comment**

DRAFT AGENDA

Materials contained in this agenda are proposed topics for discussion
And are not to be construed as regulation or official board position

DRAFT AGENDA

➤ **Landscape Architects**

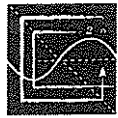
○ **CLARB Update**

- **CLARB's Mid-Year Financial Update & Register for August's Regional Meetings - Emailed July 15, 2022**
- **Regional Meeting Recap (and L.A.R.E. Information) - Emailed August 25, 2022**
- **2022-2023 CLARB Leadership Elections Results - Emailed October 20, 2022**

Materials contained in this agenda are for discussion purposes only and are not to be considered as a registration or official board position

➤ Professional Engineers

- **NCEES Update - Andy Zoutewelle, NCEES Southern Zone Vice President**
 - **NCEES Action Items and Conference Reports Available Now - Emailed July 5, 2022**
 - **In Support of Western Zone Motion 1 - Emailed August 10, 2022**
 - **Southern Zone State Reports for August - Emailed August 15, 2022**
 - **NCEES News Releases for the 2022 Annual Meeting - Emailed September 16, 2022**



NCEES

advancing licensure for
engineers and surveyors

MOTIONS TO BE PRESENTED AT THE 2022 ANNUAL MEETING

The following are draft motions for the 2022 NCEES annual meeting. The final motions-as well as full officer, committee, and task force reports-will be included in the 2022 *Action Items and Conference Reports*, which will be posted online by July 1.

At its **May** board meeting, the board of directors considered each motion that will come before the Council. The board position and whether the motion was placed on the consent agenda are listed after the motion. In the review of the motion, the board has the following options:

- Endorse the motion and place it on the consent agenda
- Endorse the motion and not place it on the consent agenda
- Not endorse the motion and not place it on the consent agenda
- Take no position and not place it on the consent agenda

June 2, 2022

Special Committee on Bylaws (4 motions)



Move that *Bylaws* 3.021 be amended as follows:

Section 3.021 Associate Members. An Associate Member of NCEES shall be a designee of a Member Board, but not a member of a Member Board, who is appointed by the NCEES Board of Directors as an Associate Member of NCEES.

Recommendations for associate members of NCEES shall be submitted by Member Boards to the Board of Directors and become effective upon appointment by the Board of Directors. Such appointments shall be reviewed annually by each Member Board and shall remain in effect until the Board of Directors is notified otherwise by the Member Board.

Associate Members of NCEES shall have the privilege of the floor upon approval of the presiding officer at meetings of the Council. Associate Members and may serve on any committee or task force to which duly appointed under the *Bylaws*. Associate Members are eligible to hold the elective office of zone Secretary-Treasurer but are not eligible to serve on the NCEES Board of Directors.

Rationale

The Special Committee on Bylaws received a charge to review changes to *Bylaws* 3.021 as proposed by the 2020-21 ACCA and approved by the Council at the 2021 annual meeting and to propose an amendment that removes "upon approval by the presiding officer." The 2020-21 ACCA rationale was as follows: "Associate members are currently active in the Council and, through their attendance at the annual meeting, have the ability to participate and contribute to the discussion."

The committee added "at meetings of the Council" to the proposed language from ACCA to clarify when an associate member would have the "privilege of the floor." The phrase matches language used elsewhere in the *Bylaws*.

Board of directors' position

Endorses, consent agenda

Bylaws Motion 2

Move that *Bylaws* 3.022 be amended as follows:

Section 3.022 Emeritus Members. An Emeritus Member of NCEES shall be a person who is a former member of a Member Board who is duly recommended by that Member Board and approved by the NCEES Board of Directors. Such appointments shall be reviewed annually by each Member Board and shall remain in effect until the Board of Directors is notified otherwise by the Member Board.

Emeritus Members of NCEES shall have the privilege of the floor upon approval of the presiding officer at meetings of the Council. Emeritus Members and may serve on any committee or task force to which duly

-----upon approval of the presiding officer at meetings of the Council. Emeritus Members and may serve on any committee or task force to which duly

Rationale

The Special Committee on Bylaws received a charge to review changes to *Bylaws* 3.022 as proposed by the 2020-21 ACCA and approved by the Council at the 2021 annual meeting and to propose an amendment that removes "upon approval by the presiding officer." The 2020-21 ACCA rationale was as follows: "As past board members, they [emeritus members] have a knowledge of the Council and some historical perspective. Their best interest should align with the Council's. If someone who is not a member, associate member, or emeritus member requests to speak, it should be up to the presiding officer to decide if that individual will be allowed the floor."

The committee added "at meetings of the Council" to the proposed language from ACCA to clarify when an emeritus member would have the "privilege of the floor." The phrase matches language used elsewhere in the *Bylaws*.

Board of directors' position

Endorses, consent agenda

Bylaws Motion 3

Move that *Bylaws* 7.02 be amended as follows:

Section 7.02 Advisory Committee on Council Activities. The Advisory Committee on Council Activities (ACCA) shall consist of a chair and Ili'Q_ members from each zone. At least one member shall be a professional engineer, one member a professional smveyor, and one member a member board administrator. The committee shall provide advice and briefing to the President and the Board of Directors on new policy issues, problems, and plans that warrant preliminary assessment of policy choices and procedures not as yet assigned to a standing committee or involving several existing committees. Consultants appointed to this committee shall have served on the Board of Directors.

The committee Will act as principal advisor to the President and the Board of Directors on such specific non-recurring problems or plans as the President may explicitly assign to the committee. The committee shall review the *Manual of Policy and Position Statements*, in consideration of past and current action of the Council, and present any proposed revisions as needed.

Rationale

The Special Committee on Bylaws received a charge to review changes to *Bylaws* 7.02 as proposed by the 2020-21 ACCA and approved by the Council at the 2021 annual meeting and to propose an amendment to add the language shown above. The 2020-21 ACCA rationale was as follows: "ACCA believes it is important to specify the exact number of members from each zone to be in concert with most of the other NCEES standing committees."

Board of directors' position

Endorses, consent agenda

Bylaws Motion 4

Move that *Bylaws* 6.02 be amended as follows:

Section 6.02 Quorum and Voting. A quorum for the transaction of business at the Annual Business Meetings of the Council shall be delegates from a majority of Member Boards. A majority vote of the Member Boards represented shall be required for affirmative action unless otherwise provided for in the *Bylaws*.

Only Member Boards shall be entitled to vote. Voting shall be by Member Boards, with each board entitled to one vote. If a Member Board is represented by one delegate at the meeting, it may be counted if its delegates wish. An associate member may serve as a Member Board delegate for voting purposes only when so designated by the Member Board's chair through written, signed communication presented to NCEES staff prior to the opening session of the meeting. For Member Boards that require authorization from the state, such designation may come from the agency director for that board.

Voting by one Member Board on behalf of another Member Board not physically present in the meeting room at the time of the vote shall not be permitted.

Rationale

The Special Committee on Bylaws received a charge to review changes to *Bylaws* 6.02 as proposed by the 2020-21 NCEES board of directors and approved by the Council at the 2021 annual meeting and to propose an amendment to add the language shown above. The 2020-21 NCEES board of directors' rationale was as follows: "The board of directors is proposing to have this language removed because each board has one vote; for that board's vote to make a difference, it needs to be counted as whole vote."

Board of directors' position

Endorses, consent agenda

Advisory Committee on Council Activities (10 motions)

ACCA Motion 1

Move that a Special Committee on Bylaws be charged with amending the *Bylaws* to add a past president as a member to each standing committee and task force. This position will have the same rights and responsibilities as other members and will not alter the committee membership requirements as specified in other sections of the *Bylaws*. If a past president is not available to serve on a specific committee or task force, the position will remain unfilled for that year. The past president positions are intended to be limited to past presidents who are still involved in Council activities.

Financial Impact

The proposed 2022-23 NCEES budget has \$1,351 estimated per committee traveler. Assuming that a past president would be assigned to 10 standing committees and an estimated two task forces, the total financial impact would be approximately \$16,500 in the 2023-24 fiscal year.

Rationale

ACCA believes that it is very important to use the knowledge and experience of our past presidents. Adding a past president, if available to serve, to each committee and task force will benefit broadly from the experience and knowledge of the past presidents across all committees and task forces. The majority of our past presidents are emeritus members, not current state board members. Creating this new past president position on each committee and task force will not take a committee or task force position away from a current state board member or from another emeritus member in favor of a past president. Making the past president seat on a committee or task force not mandatory will mean that this position can go unfilled if there are not enough past presidents available to serve. This motion does not preclude the president-elect from choosing consultants to be part of committees and task forces. The motion also makes it clear that ACCA is adding a new voting member to each committee and task force (to be occupied by a past president) and not a consultant position.

Board of directors' position

Does not endorse, non-consent agenda

Board of directors' rationale

The board of directors values the knowledge, expertise, and previous work of all NCEES past presidents. However, the board feels that the *Bylaws* already adequately addresses past presidents' service on committees and task forces. Making the appointment of a past president mandatory also takes away the incoming president's freedom to build the committees and task forces that they feel are best suited to serve the Council and address the charges for the year.

As noted last year when ACCA put forward a similar motion, the board of directors recognizes that *Bylaws* 5.01 gives the president the authority to appoint committee and task force members, chairs, vice chairs, and consultants. *Bylaws* 7.01 states that members, associate members, past presidents, and emeritus members are eligible to serve on a committee or task force; thus, adding another prescriptive member to a given committee or task force seems without value.

Amendment 4

Move that Position Statement 21 be amended as follows:

PS 21 International Activities

A. The Council should continue its involvement in the international arena within the following guidelines: to offer its examinations at foreign sites within the guidelines of EAP 10,

1. All historical agreements and made documents shall be approved by the full Council before execution.
2. Access to non-CBT examination sites by either educational institutions or entities shall be approved by the full Council before execution.
3. Access to CBT examinations at a NCBBS approved test site for applicants from a BET accredited program or the equivalent as determined by NCBBS may be approved by the head of department.
4. All agreements and made documents shall be clearly indicating on member head of department.
5. Unless specifically provided for in the Council budget, services rendered to either entities shall be funded by the Petitioning entity to a level that equals or less of Council funds.

- B. In identifying the qualifications for the right of licensure to practice engineering and SIH'Vey'.ag, NCEES shall always, inform foreign jurisdictions that the qualifications for licensure in the United States, by and through its are determined by state and territorial jurisdictions, made based on education, experience, and examination.
1. NCEES shall further emphasize to all national and foreign jurisdictions the importance of licensure in safeguarding the health, safety, and welfare of the public. Constraints such as citizenship, residency, establishment of local office, or similar restrictions shall be discouraged.
- G)2. NCEES shall stress to all national and foreign jurisdictions the need for the development of a database of their licensing requirements. All requirements for practice should have the goal of global interoperability.
- B)1. NCEES shall work with foreign jurisdictions toward the establishment of an international item for evaluation of education, experience, citizenship, practice, and ethical conduct, encourage the development of globally uniform licensure requirements that meet the international benchmark for independent professional practice established by the International Engineering Alliance *Graduate Attributes and Professional Competencies*. Constraints such as citizenship, residency, establishment of local office, or similar restrictions shall be discouraged.
- E)1. NCEES shall function as a resource for other nations that desire to establish or improve their education, experience, examination, and ethics requirements for licensure to practice engineering and surveying.
- F)Q. NCEES shall work with foreign jurisdictions toward mutual development of international workforce compliance procedures for the professional practice of engineering and surveying.
- GH. NCEES shall work with foreign jurisdictions to emphasize the importance of current international intellectual property protection.

Rationale

Paragraph A was modified to have policies regarding the offering of NCEES examinations at foreign sites reside solely in EAP 10. The wording in other paragraphs was added, modified, or deleted to reflect current practice.

Board of directors' position

Endorses, consent agenda

4ii4@MIII,ii

Move that Position Statement 26 be deleted.

PS 26 Inclusion of Engineers by ABET

NGEES encourage ABET to investigate ways to more effectively engage with the *practitioner* that will promote licensure in the industry as well as these industry may identify with and embrace. ABET's current use of the term *industry* does not recognize or apply to the entire spectrum of engineering practice.

Rationale

This position statement was originally written to encourage ABET to do more to promote licensure within its accreditation standards. Since it was developed in the early 2000s, positive changes have occurred in this area. For example, the ABET website does promote licensure (see www.abet.org/accreditation/what-is-accreditation/licensure-registration-certification). ABET consistently invites NCEES to its annual symposium to make a presentation on using the FE exam as an outcomes assessment tool, and Criterion 6 of ABET's *Criteria for Accrediting Engineering Programs* specifically calls out professional licensure as one method to measure faculty quality.

Board of directors' position

Endorses, consent agenda

4ii4@MIII,ii

Move that Position Statement 33 be replaced as shown:

PS 33 Promotion of Licensure

The mission of NCEES is to advocate licensure for engineers in order to safeguard the health, safety, and welfare of the public. As such, the GeaHeil is committed to promoting licensure will promote the health and safety of the public.

PS 33 Promotion of Licensure

NCEES is committed to promoting the value of licensure in support of its mission to advance licensure for engineers and surveyors in order to safeguard the health, safety, and welfare of the public.

Rationale

ACCA supported generally maintaining PS 33 but with a few modifications to more directly connect the promotion of licensure to the NCEES mission. The committee felt that the changes were easier to read when presented as a new position statement than when shown as insertions and deletions in the existing position statement.

Board of directors' position

Endorses, consent agenda

4iii1/2MMII-i,1/2

Move that Position Statement 34 be replaced as shown:

PS 34 Diversity, Equity, and Inclusion

NCEES is committed to advancing licensure to all groups and recognizes the need to award a professional license to all qualified individuals, regardless of race, gender, ethnicity, religion, age, disability, or other individual differences. NCEES encourages its member boards to do the same.

PS 34 Diversity, Equity, and Inclusion

NCEES is committed to 1) advancing licensure in such a way as to be inclusive of all people for the betterment of engineering and surveying licensure and 2) treating its employees and volunteers of the organization in an equitable and inclusive manner with respect, dignity, and fairness that fosters participation without regard to individual differences. NCEES encourages its member boards to do the same.

Rationale

ACCA supported generally maintaining PS 34 but with a few modifications to separately address diversity in the wider professions and within NCEES as an organization. The title was updated to include consideration for equity and inclusion, which is a more comprehensive manner of addressing diversity. The committee felt that the changes were easier to read when presented as a new position statement than when shown as insertions and deletions in the existing position statement.

Board of directors' position

Endorses, consent agenda

4iii1/2MMII-i,1/2

Move that Position Statement 36 be amended as follows:

PS 36 Sustainability

NCEES reaffirms that it encourages professional engineers and professional surveyors to incorporate in their work and lives the principles and practices of sustainability to safeguard the health, safety, and welfare of the public in the future.

Sustainability, as defined for this purpose, is the ability to meet the needs of the present without compromising the ability of future generations to meet their own needs, through the balanced application of integrated planning and the combination of environmental, social, and economic decision-making processes.

Rationale

ACCA supported generally maintaining PS 36 but with a few modifications to make the position statement clearer and to explicitly set parameters for sustainability in both work and personal lives.

Board of directors' position

Endorses, consent agenda

ACCA Motion 7

Move that Exam Administration Policy 10 be amended as follows:

EAP 10 NCEES Examinations Offered to-a-at Foreign..ntlty Sites

A. Authority of CEO

The chief executive officer may be authorized by the NCEES board of directors to enter into discussion with a foreign entity concerning the authorization of NCEES examinations at a foreign site. The board shall determine whether NCEES examinations will be administered in full compliance with all NCEES administrative procedures. All costs borne by NCEES to carry out this provision will be reimbursed.

BA. Contracting with Foreign Entities

NCEES may contract with the foreign entity to provide administration of its examinations to the foreign entity's CRG/Registrar of Surveying Applicants, upon a written contract. A draft agreement that defines areas of responsibility for the foreign entity and NCEES may be created. The agreement will require, at a minimum, that the foreign entity reimburse all costs borne by NCEES to carry out the provision of the agreement.

In addition, the NCEES board of directors is authorized to permit the fundamentals of ERG/Registrar of the FHR/Regulatory Board to be administered at NCEES approved test sites to all applicants from a foreign ABET-accredited engineering or "SIH" surveying program, if a minimum, all costs borne by NCEES to carry out this provision will be reimbursed.

The chief executive officer is authorized to enter into discussions with foreign entities concerning the administration of NCEES examinations to examinees via computer-based testing (CBT). Any agreement resulting from such discussions requires the approval of the NCEES board of directors.

G). Minimum Criteria for Examinations

For any approved agreement, NCEES will establish minimum criteria for examinees of the foreign entity that are in general conformance with the existing NCEES Model Law and Model Rules. NCEES will retain the responsibility for all fees for foreign entities and will require that all fees be paid by the member board when the agreement is signed. Such agreements shall require that any additional costs to NCEES to administer the exams shall be reimbursed by the foreign entity and that CBT examinations shall be administered in accordance with the NCEES examination testing agreement.

- Use of Examination Results for Licensure

The Results of the examinations may be used to assist examinees interested in applying for licensure as a professional engineer or surveyor with an NCEES member board. NCEES makes no representations that passing such exams will qualify the examinees for licensure in any NCEES member board jurisdiction. The results may also be used as well as an outcomes assessment tool to assist in measuring the outcomes of a foreign-based examination system ABET-accredited programs.

However, it is the policy that the examinee elects to use the results of the examination for the purpose of applying for licensure, the member board must let the examinee know in writing that the results are related to state licensure, and that the results are limited to licensure and other purposes.

BQ. Restriction on Use of Examination Results

Examinee performance data from examinations provided to a foreign entity shall not be included in exam evaluation or development, used to establish cut scores, or included in exam result statistics for NCEES jurisdictions. Examinee performance data from exams provided to a foreign entity may be evaluated and reported separately.

FE. Release of Examinee Performance Data

NCEES may release examinee performance data to an ABET-accredited foreign educational program or to the foreign governing body or professional organization as provided in the contract or as approved by the board of directors.

E. Other Foreign Offerings

The chief executive officer is authorized to approve other foreign sites without foreign entity involvement for use by U.S. military personnel and their spouses and by other individuals approved by the chief executive officer.

Rationale

EAP 10 defines the processes by which NCEES offers its exams at sites outside the United States. Now that all exams except the PE Structural exam have transitioned to CBT, it was necessary to review and update EAP 10. ACCA requested input from NCEES staff who deal directly with offering exams at non-U.S. sites. In consultation

with the EPP Committee, ACCA modified EAP 10 to fit the current methodology that NCEES uses to deal with this issue.

Board of directors' position

Endorses, consent agenda

ACCA Motion 8

Move that a Special Committee on Bylaws be charged with incorporating the following amendments into *Bylaws* 4.05:

Section 4.05 Qualifications. Any member of NCEES who is a citizen of the United States and a member of a Member Board sometime during the calendar year in which the nomination occurs is eligible to hold an elective office. Associate members are not eligible to serve on the NCEES Board of Directors.

To be eligible for the office of President-Elect, a person shall be a licensed engineer or surveyor, shall have been a member of NCEES at least three years, and shall have attended at least two NCEES Annual Business Meetings.

~~-----~~ Members of the current Board of Directors whose term on their Membership has expired during their term as

NCEES Treasurer or Vice President may run for President-Elect if

- They have been a member of NCEES during their term as NCEES Treasurer or Vice President;
- They have obtained emeritus standing within the Council; and
- They have the approval of their state-Member Board; and
- It is their zone's rotation to elect a President-Elect; and
- They have been nominated by the zone.

The President-Elect shall not be from the same zone as the President.

To be eligible for the office of Treasurer, a person shall be a licensed professional engineer, licensed professional surveyor, or public member.

To be eligible for the office of Vice President, a person shall be a licensed professional engineer or surveyor and shall be from the zone that elects him or her.

Rationale

This motion does not change the intent of this section of *Bylaws* Article 4 but does make the language clearer.

Board of directors' position

Endorses, consent agenda

ACCA Motion 9

Move that a Special Committee on Bylaws be charged with incorporating the following amendments into *Bylaws* 4.02, 4.04, and 4.06:

Section 4.02 Board Membership. The Board of Directors shall consist of the President, the President-Elect, the Immediate Past President, the Treasurer, five of the four Vice Presidents (one from each zone), and one At-Large Member who shall be a public member of a Member Board.

Section 4.04 Elections and Terms of Office. The President-Elect shall be elected by the Council at each Annual Business Meeting in the manner prescribed in the *Bylaws*. The President-Elect shall serve the Council for a period of three years. The first year shall be as President-Elect. The second year, without further election, the President-Elect shall become President, holding that office until a successor has been installed. The third year, without further election, the President shall become Immediate Past President. Any member elected to the office of President-Elect shall be eligible to serve as President-Elect, President, and Immediate Past President, with full authority of the offices and board privileges. Past Presidents shall be ineligible for reelection as President-Elect of the Council.

The Treasurer shall be elected at the Annual Business Meeting every three years in the manner prescribed in the *Bylaws*. Treasurers shall not be eligible for reelection to the same office until at least one full term has elapsed. For the office of Treasurer, a partial term served shall not be considered a term for term-limit purposes.

Vice Presidents shall be elected at their respective Zone Interim Meeting every two years in the manner prescribed in the *Bylaws*. Vice Presidents from the Northeast and Southern Zones shall be elected in odd-

numbered years. Vice Presidents from the Central and Western Zones shall be elected in even-numbered years. Vice Presidents shall not be eligible for reelection to the same office until at least one full term has elapsed. For the office of Vice President, a partial term served shall not be considered a term for term-limit purposes.

At-Large Members shall be elected at the Annual Business Meeting every two years in the manner prescribed in the Bylaws. At-Large Members shall not be eligible for reelection to the same office until at least one full term has elapsed.

New members of the Board of Directors shall assume their duties at the conclusion of the Annual Business Meeting. Board members may continue to serve until the conclusion of the term of office to which they were elected even if their terms with Member Boards have ended.

Section 4.06 Vacancies. If a vacancy occurs in the office of President, the President-Elect shall succeed to the office of President for the completion of that term and subsequently serve the full one-year term that he or she was originally elected to serve as President. A vacancy in the office of President-Elect shall remain unfilled until the next NCEES Annual Business Meeting. At that time, the Council will elect a President from the *wne* of the vacant President-Elect position.

Avacancy in the office of Immediate Past President shall be filled by the most recent available Past President.

A vacancy in the office of Treasurer shall be filled by the Board of Directors within 30 days; the selected individual shall fill the position until an election for a new full-term Treasurer is held at the next Annual Business Meeting.

Avacancy in the office of a Vice President shall be filled by that *wne's* Assistant Vice President

Avacancy in the position of an At-Large Member shall be filled by the Board of Directors within 30 days; the selected individual shall fill the position until an election for a new full-term At-Large Member is held at the next Annual Business Meeting.

Appointments by the Board of Directors shall be made in accordance with the required qualifications and limitations for duly elected members of the Board of Directors.

A quorum of the Board of Directors for filling of vacancies shall consist of six members except in the event of two vacancies, when five shall constitute a quorum. For the filling of vacancies, the members of the Board of Directors may be represented by proxies, duly signed and verified.

Financial Impact

The proposed 2022-23 NCEES operating budget includes \$15,750 per vice president for travel expenses. Assuming the at-large public member on the board would have similar expenses to a vice president, the same amount specified for a vice president would be added to the budget each year for the at-large public member. The estimated financial impact for fiscal year 2023-24 is \$15,750.

Rationale

Public members are active in the Council. They provide different perspectives than professional members, and those perspectives have value to the Council. As an organization dedicated to the advancement of licensure for the protection of the health, safety, and welfare of the public, NCEES should consider those perspectives in all deliberations. Representation from the public has been recognized by nearly all jurisdictions within the Council as an important component for deliberation on licensing boards. Our counterpart organizations in the design professions, such as the Council for Interior Design Qualification, the Council of Landscape Architectural Registration Boards, and the National Council of Architectural Registration Boards (NCARB), include a public member on their boards of directors.

Board of directors' position

Does not endorse, non-consent agenda

Board of directors' rationale

Public members are important to NCEES member boards. They provide a different point of view from that of professional engineers, professional surveyors, and/or other professionals who serve on their respective member boards. The board of directors feels that NCEES should provide a pathway for public members to become more involved in NCEES leadership and thus endorses ACCA Motion 10. The board endorses the ability for a public member to be on the board of directors through existing positions without adding a position available only to public members.

CCA Motion 10

Move that a Special Committee on Bylaws be charged with incorporating the following amendments into Bylaws 4.05:

Section 4.05 Qualifications. Any member of NCEES who is a citizen of the United States and a member of a Member Board sometime during the calendar year in which the nomination occurs is eligible to hold an elective office. Associate members are not eligible to serve on the NCEES Board of Directors.

To be eligible for the office of President-Elect, a person shall be a licensed professional engineer, ffi'-licensed professional surveyor, or public member; shall have been a member of NCEES at least three years; and shall have attended at least two NCEES Annual Business Meetings.

Members of the Board of Directors may run for President-Elect if

- Their term on their state board has expired during their term as NCEES Treasurer or Vice-President;
- They have obtained emeritus standing within the Council, they have the approval of their state board;
- They have been nominated by the zone.

The President-Elect shall not be from the same zone as the President.

To be eligible for the office of Treasurer, a person shall be a licensed professional engineer, licensed professional surveyor, or public member.

To be eligible for the office of Vice President, a person shall be a licensed professional engineer, 01'-licensed professional surveyor, or public member and shall be from the zone that elects him or her.

Rationale

As discussed in Motion 9, public members are active in the Council, they provide different perspectives than professional members, and their perspectives have value to the Council. As an organization dedicated to the advancement of licensure for the protection of the health, safety, and welfare of the public, NCEES should consider those perspectives in all deliberations, including those of Council leadership. Representation from the public has been recognized by nearly all jurisdictions within the Council as an important component for deliberation on licensing boards. Public members are eligible for leadership positions within their respective member board in many jurisdictions. NCARB allows a public member to be president of the board of directors.

ACCA also modified the wording to be consistent in terms of specifying that members of the board of directors must be licensed professional engineers, licensed professional surveyors, or public members. Member board members who represent other professions, such as architecture, geology, etc., are not eligible to hold positions on the NCEES board of directors.

Board of directors' position

~~-----1Et''''1d''o=rs ;-nowconsenu rdac-----~~

Committee on Education (9 motions)

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Move that Position Statement 6 be amended as follows:

PS 6 Examination of Engineering Students

NCEES recommends that all schools with EAC/ABET-accredited engineering programs require students in such programs to take and make a good-faith effort to pass the NCEES Fundamentals of Engineering examination prior to their anticipated date of graduation. Deans, department heads, and faculty members are encouraged to provide FE exam review sessions to assist students in preparing for the exam. !GEES and its member lloaras aheeld pro'iide resmifeea fer the re'lill'NB and assist these pregpama in detemiiniRg whether stadellts made a geed faith effort ta pass the eiE!lffl.

Rationale

In reviewing PS 6, the committee decided that computer-based testing has altered some aspects of the practices described in this position statement. The member boards are no longer involved with enrolling candidates to sit

for the FE examination and have no means to evaluate student performance. NCEES does provide resources for review-including practice examinations and reference manuals-but does not actively participate in preparing students for the examination; this is deemed a conflict of interest and thus the change noted above.

Board of directors' position

Endorses, consent agenda

Education Motion 2

Move that Position Statements 7, 8, and 9 be amended as follows:

PS 7 Bachelor of Science Degree in Engineering Technology

NCEES recommends that the boards of licensure, whose statutes do not otherwise prohibit, require any applicant who has a degree in engineering technology, who applies for engineering licensure in any jurisdiction of the United States, and who has not previously been licensed to practice by one of the boards of licensure be required to first demonstrate that he or she possesses at least a four-year bachelor of science degree in engineering technology, acquired through the successful completion of an ETAC/ABET-accredited program or through a board-approved program.

Repealing that newly ETAC/ABET accredited programs must spend several years in development before attaining accredited status. NCEES recommends that all applicants be considered as having graduated from an ETAC/ABET accredited program if their program is/was accredited within three years after their graduation.

PS 8 Bachelor of Science Degree In Engineering

NCEES recommends that the boards of licensure require any applicant who applies for engineering licensure in any jurisdiction of the United States and who has not previously been licensed to practice by one of the boards of licensure be required first to demonstrate that he or she possesses at least a four-year bachelor of science degree in engineering, acquired through the successful completion of an EAC/ABET-accredited program or through a board-approved program.

Repealing that newly BAG/ABET accredited programs must spend several years in development before attaining accredited status. NCEES recommends that all applicants be considered as having graduated from an BAG/ABET accredited program if their program is/was accredited within three years after their graduation.

PS 9 Bachelor of Science Degrees In Surveying Engineering, Surveying and Mapping, and Geodesy

NCEES recommends that the boards of licensure require any applicant who applies for licensure to practice surveying in any jurisdiction of the United States and who has not previously been licensed to practice by one of the boards of licensure for professional surveyors be required to first demonstrate that in the cases of four-year surveying degrees, such applicant possesses a four-year bachelor of science degree acquired through the successful completion of program for said degree accredited by the Engineering Accreditation Commission of ABET (EAC/ABET), the Applied and Natural Science Accreditation Commission of ABET (ANSAC/ABET), Engineering Technology Accreditation Commission of ABET (ETAC/ABET), or a board-approved program.

NCEES expects all of its examination preparation to follow current *Model Law* and *Model Rules*. Model Law Surveyors should be utilized to prepare FS examinations, and Model Law Surveyors should be utilized to establish cut scores for FS examinations.

The content of the FS examination shall test the knowledge obtained in a baccalaureate surveying degree that will enable the individual to protect the public.

Repealing that newly accredited BAG/ABET, ANSAC/ABET, or ETAC/ABET programs must spend several years in development before attaining accredited status. NCEES recommends that all applicants be considered as having graduated from an EAC/ABET, ANSAC/ABET, or ETAC/ABET accredited program if their program is/was accredited within three years after their graduation.

- Refer to the NCEES position paper "Benefits of a Four-Year Degree Requirement for Surveying Licensure" (2011), available as a PDF on ncees.org under MyNCEES.

Rationale

The last paragraphs in the three position statements deal with backdating Model Law status for graduates from newly accredited programs. The specified periods conflict with current ABET practice. In addition, ABET currently has a process for programs to request backdating of accreditation for up to two years provided certain

provisions are met. NCEES should simply make use of the current ABET process rather than specifying a separate one.

Board of directors' position

Endorses, consent agenda

Education Motion 3

Move that Position Statement 9 be amended as follows:

PS 9 Bachelor of Science Degrees In Surveying Engineering, Surveying and Mapping, and Geomatics

NCEES recommends that the boards of licensure require any applicant who applies for surveying licensure to first demonstrate that in the cases of in surveying in any jurisdiction of the United States and who has not previously been licensed to practice by one of the boards of licensure for professional surveyors be required to first demonstrate that at least a four-year bachelor of science degree acquired through the successful completion of an ABET- accredited surveying program or through a board-approved program.

NCEES expects all of its examination development to follow current *Model Law* and *Model Rules*. Model Law Surveyors should be utilized to prepare FS examinations, and Model Law Surveyors should be utilized to establish cut scores for FS examinations.

The content of the FS examination shall test the knowledge obtained in a baccalaureate surveying degree that will enable the individual to protect the public.

- Refer to the NCEES position paper "Benefits of a Four-Year Degree Requirement for Surveying Licensure" (2011), available as a PDF on ncees.org under MyNCEES.

Rationale

The wording changes are proposed to better reflect current surveying practice, to make the structure of PS 9 more like that of PS 8, and to improve the clarity of the position statement to reflect the emphasis on four-year surveying degree programs.

Board of directors' position

Endorses, consent agenda

Education Motion 4

Move that Position Statement 12 be amended as follows:

PS 12 Licensing of Engineering Faculty

Faculty members who teach advanced engineering courses, or who are in responsible charge of engineering curricula or engineering research, to be licensed professional engineers. It is the intent of NCEES that faculty members who teach advanced engineering as defined by applicable statutes must be licensed.

Rationale

The last sentence has been moved to the beginning to emphasize the fact that faculty are not exempt from licensure requirements if they are consulting or providing other engineering services to the public or if the law in the jurisdiction in which their institution is located defines engineering education as part of engineering practice that must be licensed. Otherwise, it is desirable that faculty members be licensed to set an example for their students to pursue licensure.

Board of directors' position

Endorses, consent agenda

Education Motion 5

Move that Position Statement 19 be amended as follows:

PS 19 Education

The primary role of NCEES is to facilitate professional licensure of engineers and surveyors and uphold standards necessary to safeguard the health, safety, and welfare of the public. The Council strongly advocates quality education to prepare individuals to become engineers and surveyors, including K-12 and university education, as well as continued professional competency for licensees. The Council supports efforts to develop educational standards required for licensure and to expeditiously disseminate those standards to its member boards.

The educational objectives of NCEES are to

- A. Advocate quality education that adequately prepares candidates for licensed professional practice. This includes the following:
 1. K-12 education, as it informs students about the fields of engineering and surveying and prepares them for university study
 2. Higher education, which prepares individuals for licensure and professional practice
- B. Recognize institutional indicators of quality education, which may include the following:
 1. Program educational objectives and outcomes that include a focus on preparing students for licensed professional practice as described in paragraph A above
 2. Program educational objectives and outcomes that are assessed in part by nationally validated content examinations
 3. Curriculum requirements that equate to the standards for licensure eligibility
- C. Establish program indicators of quality education for licensure eligibility, which include the following:
 1. Nationally validated assessment methods
 2. Program educational objectives that specifically meet the educational standards and that prepare students for licensed professional practice
 3. Compliance with prescribed psychometric analyses that determine pass rates on nationally validated content examinations
- D. Assist member boards in evaluating the indicators and metrics as established for licensure eligibility.

Rationale

The first change emphasizes that both K-12 and higher education are part of the education necessary for competent professional practice. The second edit clarifies that NCEES does not set program educational objectives but does set educational standards that are benchmarks for appropriate professional education. The third edit clarifies that examination pass rates are established through validated psychometric processes.

Board of directors' position

Endorses, consent agenda

Education Motion 6

Move that Position Statement 27 be amended as follows:

PS 27 Online Education

NCEES recognizes that online education instruction, either in whole or as a supplement to in-person presentation, an alternative and effective delivery method for engineering and surveying education, and encourages the development of methods and techniques that will result in accredited programs that meet requirements for licensure.

Rationale

The COVID-19 pandemic has served to accelerate the use of online instruction to provide a broad spectrum of education. A good deal of experience has been gained in the delivery of online programs, and many high-quality online educational materials have been developed. There are a number of online educational programs covering a variety of subject areas, including engineering and surveying. The proposed rewording of this position statement is meant to reflect the reality that online programs are being developed that will be properly accredited to provide the education required for licensed practice.

Board of directors' position

Endorses, consent agenda

Education Motion 7

Move that Position Statement 32 be amended as follows:

PS 32 Evaluation of Qualifications for non-Modal Law Engineers and Surveyors

NCEES recommends that education and experience for non-Modal Law license applicants requesting permission to sit for examinations or requesting licensure by comity should be evaluated in accordance with related NCEES position statements and standards.

When determining whether a non-Modal Law candidate's education is satisfactory, the NCEES Engineering and Surveying Standard shall be used for engineering applicants and the NCEES Surveying Standard shall be used for engineering applicants.

Engineering licensees for non-Modal Law engineering licensees shall be evaluated in accordance with PS 13, NCEES Recommended Engineering/Engineering General Requirements for P.E. Licensees.

Engineering licensees for non-Modal Law engineering licensees shall be evaluated in accordance with these standards established by NCEES. In the event that an alternative to the NCEES Engineering Standard is accepted, the specific basis for granting a license without the Engineering Standard shall be clearly stated in the record.

The criteria which the Engineering, Engineering, and Engineering requirements are attached for engineering licensees for non-Modal Law licensees shall be used for engineering licensees. In the event that an alternative to the NCEES Engineering Standard is accepted, the specific basis for granting a license without the Engineering Standard shall be clearly stated in the record.

Rationale

The Committee on Education believes that the first paragraph of the statement fully embodies the intent of this position statement. The additional paragraphs are redundant, in that they point to other position statements or standards that are noted in the first paragraph. The additional elaboration is not necessary.

Board of directors' position

Endorses, consent agenda

Education Motion 8

Move that the following statements be added to the NCEES Engineering and Surveying Education Standards:

NCEES Engineering Education Standard

The NCEES Engineering Education Standard was developed by the NCEES Committee on Education for use by the NCEES Credentials Evaluations service and member boards. An educational evaluation provided by NCEES should be accepted as the only official assessment of whether or not the Engineering Education Standard has been met.

NCEES Surveying Education Standard

The NCEES Surveying Education Standard was developed by the NCEES Committee on Education for use by the NCEES Credentials Evaluations service and member boards. An educational evaluation provided by NCEES should be accepted as the only official assessment of whether the Surveying Education Standard has been met.

Rationale

Designating NCEES as the only entity that can officially certify that the NCEES education standards have been met eliminates the potential for conflict between evaluators. These statements do not restrict member boards from performing their own evaluations or accepting evaluations from third parties, but they do specify that an evaluation by parties other than NCEES should not be considered to provide a definitive assessment of educational credentials with respect to the NCEES standards. The intent of this motion is to eliminate situations in which one entity determines that the credentials of a licensure candidate meet the NCEES standard but a second determines that there are deficiencies.

Board of directors' position

Endorses, consent agenda

Education Motion 9

Move that the Committee on Uniform Procedures and Legislative Guidelines be charged with incorporating the following amendments into *Model Rules* 240.30:

240.30 Continuing Professional Competency

H. Reinstatement

A licensee may bring applying to reinstate a retired or inactive license to a new state 1-year after obtaining all delinquent PDHs. However, if the total number required to become current exceeds 30, then 30 shall be the maximum number required. If the applicant has not been engaged in the legal practice of engineering for more than five years prior to seeking reinstatement, the licensing board may require the applicant to take and pass the NCEES Principles and Practice Of Engineering (PE) examination or the NCEES Principles and Practice of Surveying (PS) examination and jurisdiction-specific examinations prior to reinstatement.

Rationale

The *Model Law* provides that member boards may impose examination requirements when there is concern about the continued competency of a lapsed licensee who has been out of active practice for more than five years. The parallel section in the *Model Rules*, which is considered here, does not mention that the licensing board could impose such a requirement. As the *Model Rules* read now, it appears that acquiring the necessary PDHs is the only requirement that would need to be met, regardless of the length of time that a license has been inactive.

Board of directors' position

Endorses, consent agenda

Committee on Examination Policies and Procedures 17 motions

EPP Motion 1

Move that the Exam Development Policy 3 be amended as follows:

EDP 3 Engineering and Surveying Examinations and Formats

B. Principles and Practice of Engineering Examinations

The Principles and Practice of Engineering examinations shall be offered in the following disciplines and shall be open-book, pencil-and-paper examinations or offered closed-book via CBT with supplied references as defined in EAP 4:

1. Agricultural and Biological
2. Architectural
3. Chemical
4. Civil-Construction
5. Civil-Geotechnical
6. Civil-Structural
7. Civil-Transportation
8. Civil Water Resources and Environmental
9. Control Systems
10. Electrical and Computer-Computer Engineering
11. Electrical and Computer-Electronics, Controls, and Communications
12. Electrical and Computer-Power
13. Environmental
14. Fire Protection
15. Industrial and Systems
16. Mechanical-HVAC and Refrigeration
17. Mechanical-Machine Design and Materials
18. Mechanical-Thermal and Fluid Systems
19. Metallurgical and Materials
20. Mining and Mineral Processing
21. Naval Architecture and Marine
22. Nuclear

1/4.23- Petroleum

204. 16 hour Structural Engineering

The 16 hour PE Structural Engineering examination shall consist of two 8 hour components: the Vertical Forces (gravity/other) and Incidental Lateral component and the Lateral Forces (wind/earthquake) component. The 16 hour PE Structural Engineering examination shall be considered and referred to as one examination.

Rationale

The proposed changes give a more complete listing of the examinations and clarify which format is open book and which format is closed book. They also remove the 16-hour title for the PE Structural examination, which is unnecessary and will not be accurate once the transition to CBT is complete.

Board of directors' position

Endorses, consent agenda

13: Qi & Mh • Ili

Move that Exam Development Policy 7 be amended as follows: -----

EDP 4 Entry of New Discipline or Depth Module or Reinstatement to PE Examination Status

B. Technical Society Requirement Involvement

No discipline shall be added or reinstated unless a technical society agrees to Sponsor support the examination. All technical societies that Sponsor support examinations shall sign an agreement with NCEES delineating the responsibilities of both parties in delineating the conditions.

Rationale

The proposed amendments change the role of technical societies from sponsorship to support, in accordance with current practice.

Board of directors' position

Endorses, consent agenda

EPP Motion 3

Move that Exam Development Policy 7 be amended as follows:

EDP 7 Deleting/Combining/Renaming a Discipline or Module from the Examination Program

A. Deleting/Combining of Pencil-and-Paper Examinations

If in two consecutive administrations of pencil-and-paper examinations, there have been fewer than 50 total first-time examinees from NCEES jurisdictions in a specific examination or module, the Committee on Examination Policy and Procedures (EPP) shall review the desirability of continuing the subject examination or module and make one of the following recommendations to the board of directors:

1. Continue to prepare the examination or module -----
2. Request the appropriate exam development committee and the supporting technical society to prepare and submit a specific remedial action plan for increasing the number of first-time takers to a level that meets or exceeds the minimum candidate requirements in the time period specified by the EPP Committee.
3. Place the examination or module on probation. The EPP Committee shall specify the conditions of the probation, including a time frame for corrective action. The recommendation may include the combination of the examination with another examination or other such action as the EPP Committee deems appropriate.
4. Discontinue the examination or module.

B. Deleting/Combining of CBT Examinations

If the population of first-time examinees from NCEES jurisdictions for any NCEES CBT examination or module is not adequate to provide for accurate psychometric analysis, the EPP Committee shall review the desirability of continuing the subject examination or module and make one of the following recommendations to the board of directors:

1. Continue to prepare the examination or module.
2. Request the appropriate exam development committee and the supporting technical society to prepare and submit a specific remedial action plan for increasing the number of first-time takers to a level that

meets or exceeds the minimum candidate requirements in the time period specified by the EPP Committee.

3. Place the examination or module on probation. The EPP Committee shall specify the conditions of the probation, including a time frame for corrective action. The recommendation may include the combination of the examination with another examination or other such action as the EPP Committee deems appropriate.
4. Discontinue the examination or module.

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E. Adequate Item Bank Requirement

If an examination entity fails to have an adequate item bank as specified in paragraph D of EDP 3, including solutions and knowledges being assessed, the EPP Committee shall review the desirability of continuing the examination or module and make one of the following recommendations to the board of directors:

1. Continue to prepare the examination or module.
2. Discontinue the examination or module.
3. Place the examination or module on probation and recommend specific remedial action that may include contracting for item writing with an outside entity or other such action as the EPP Committee deems appropriate. If such remedial action fails to cause the examination to meet the requirements of paragraph D of EDP 3 within one year after the examination was put on probation, the EPP Committee shall recommend appropriate action to the board of directors.

F. Sufficient Data for Exam Audit Requirement

If an examination entity fails to provide the Committee on Examination Audit with sufficient data to conduct an adequate audit for two consecutive audit cycles, the EPP Committee shall review the desirability of continuing the examination or module and make one of the following recommendations to the board of directors:

1. Continue to prepare the examination or module.
2. Discontinue the examination or module.
3. Place the examination or module on probation and recommend specific remedial action that the EPP Committee deems appropriate. If the examination entity fails to provide sufficient data to successfully complete the next scheduled examination audit, the EPP Committee shall recommend appropriate action to the board of directors.

Rationale

The proposed amendments clarify that requests for remedial action plans should be developed by both the exam development committee and the supporting technical societies. They also clarify language regarding sufficient data for exam audits.

Board of directors' position

Endorses, consent agenda

EPP Motion 4

Move that Exam Development Policy 10 be amended as follows:

EDP 10 Item Writers, Pass-Point Evaluators, Reviewers, and Scorers

B. Pass-Point Evaluation Team Requirements

Exam committees shall require that at least one person who participates on the pass-point evaluation team be a person who has worked on the current development of an examination undergoing a pass-point evaluation. The number of current exam development members participating in the pass-point evaluation shall be no more than one-quarter of the pass-point evaluation team. Exam committee members involved in the development of the examination or the pass-point evaluation team shall be re-evaluated for the following year.

C. Restriction on Teaching Refresher Courses

Any person serving on an NCEES examination development committee or involved in a pass-point evaluation panel shall not teach a refresher course related to the preparation for that examination within three years after serving on the committee or panel.

D. Exam Developers Requirement

Any person involved in the development of an NCEES examination who is later required by a member board to sit for that examination must inform that member board that he or she worked on the development of that examination.

Rationale

The proposed changes clarify the roles and responsibilities of item writers, reviewers, and scorers and incorporate gender-neutral language.

Board of directors' position

Endorses, consent agenda

EPP Motion 5

Move that Exam Development Policy 11 be deleted.

EPP Motion 4

Farther, NCEES may fund non member students to attend workshops for the purchase of writing and examination materials. The EPP Committee shall recommend to the Board of Directors that these purposes.

Rationale

The committee proposes removing the policy covering payment for exam items because no payment for items is currently in place.

Board of directors' position

Endorses, consent agenda

EPP Motion 6

Move that Exam Administration Policy 1 be amended as follows:

EAP 1 Administration of Examinations

A. Guidelines and Procedures

NCEES will publish examination administration procedures that "in the *Security and Administrative Procedures Manual* to provide guidelines and procedures that member boards shall follow in the use of NCEES engineering and surveying examinations. The guidelines and procedures will cover matters concerning security, use, scoring, and general administration of such examinations for the purposes for which they are designated to ensure fair and equitable treatment of member boards and examination candidates.

B. Testing Regulations

Member boards of the organization shall ensure that NCEES will provide the NCEES Examinee Guide to each candidate approved to take NCEES examinations. The NCEES Examinee Guide includes information regarding regulations to be observed during the examinations and actions that may be taken in the event of a testing irregularity.

C. Candidate Admission

Approval of candidates applying to take NCEES examinations shall be by the individual member boards or their designated representative. To sit for be admitted to an NCEES examination, candidates will be required to obtain a unique identification number and create an account with NCEES. Only candidates with an NCBBS supplied identification number will be allowed admission into the examination site. Candidates not allowed admission to the morning session of a pencil-and-paper examination will not be admitted to the **afternoon session.**

D. Restriction of Who Can Be in the Examination Room

For pencil-and-paper examinations, only preauthorized member board members, member board staff, proctors, NCEES-designated representatives, and candidates actually taking an examination will be permitted in the examination room.

H. Committee on Examination Audit

The Committee on Examination Audit shall include, as part of its auditing responsibilities, a review of the Security and Administrative Procedures Manual for content and effectiveness.

I. Banned Registration Requirements

If a member board bans an examinee from registering for an examination as referred to in HI EM' 8, it shall be the responsibility of that member board to notify NCEES of the specific terms and reasons for the ban. NCEES will update the examinee's account to make this information available to all member boards. The decision as to whether another member board agrees to honor the terms of the original member board's decision to ban this examinee's registration will remain with the individual member boards.

Rationale

These proposed changes incorporate the proper names of publications and reflect current practice for exam administration.

Board of directors' position

Endorses, consent agenda

Amendments

Move that Exam Administration Policy 2 be amended as follows:

EAP 2 Examination Schedules

A. Pencil-and-Paper Examinations

A 10 year schedule of examination dates shall be published for the PE Structural Engineering examination, and the schedule shall be updated annually by NCEES staff and affirmed by the board of directors. The examination dates should avoid conflicts with public and religious holidays.

Member boards NCEES will schedule and administer the PE Structural Engineering examinations on the NCEES published day for each examination dates. For the 16 hour Structural Engineering examination, the

Vertical Forces (gravity/other) and Incidental Lateral component will be administered only on Friday, and the Lateral Forces (wind/earthquake) component will be administered only on Saturday subsequent to the

Any request for deviation from this policy by a member board must be submitted to the NCEES office within the prescribed lead time in order to be considered for approval. A request for any deviation must conform to the applicable NCEES guidelines and must be approved by the NCEES compliance and security manager. Each request will be reviewed on its own merits.

B. CBT Examinations

NCEES will administer CBT examinations in the published timeframes or on the published dates as noted in the *Security and Administrative Procedures Manual*. The schedule shall be updated annually by NCEES staff and affirmed by the board of directors.

Rationale

A 10-year schedule for paper-and-pencil exams is no longer applicable. The PE Structural exam is the sole pencil-and-paper exam. Flexibility has been added to the administration days of the PE Structural exam. Also, member boards no longer administer exams. Some CBT exams are offered on specific dates and not within specific timeframes.

Board of directors' position

Endorses, consent agenda

Amendments

Move that Exam Administration Policy 3 be amended as follows:

EAP 3 Release and Return of Examinations and Seating Charts for Pencil-and-Paper Examinations

Exam books will not be released to member boards delivered prior to the regularly scheduled date for shipping orders for a particular administration.

All exam booklets, and answer sheets, and solution pamphlets must be returned to the exam printer in accordance with the *NCEES Security and Administrative Procedures Manual*.

Seating charts for each exam site and other administrative material must be returned transferred back to NCEES in accordance with the NCEES *Security and Administrative Procedures Manual*.

Rationale

The changes reflect that member boards no longer administer the exams.

Board of directors' position

Endorses, consent agenda

ISIFAMU, JIMJ

Move that Exam Administration Policy 4 be amended as follows:

EAP 4 Materials Pennitted and Not Pennlitted in Examination Room

B. Open Book Pencil-and-Paper Examinations

1. The following reference materials and aids may be brought into the examination room by the examinee for ma or her their personal use only:

- a. KSancItextliooks
- b. Bound reference materials, provided that the material be and remain contained (bound) in a cover during the entire examination. The term "bound" refers to the following:
 - (1) Material bound permanently, i.e., stitched or glued
 - (2) Material fastened securely in its cover by fasteners that penetrate all papers, e.g., ring binders, spiral binders, plastic snap binders, brads, screw posts. Loose material inside binder pockets does not qualify as bound.
2. Examinees are not permitted to exchange any reference materials.
3. Writing tablets, unbound tables, or unbound notes are not permitted in the examination room.
4. Examinees may tab reference books prior to the examination with Post-it[®] type notes and flags, but pads of Post-it type notes and flags are not permitted in the examination room.

C. Clesea bee!, Q!! Examinations

Only NCEES-supplied reference materials are permitted for use in the examination room.

Rationale

The proposed amendments use gender-neutral language and the current names of exam types.

Board of directors' position

Endorses, consent agenda

ISIFAMU, JIMJ

Move that Exam Administration Policy 5 be amended as follows:

EAP 5 NCEES Examinations Offered by a Member Board Within its Jurisdiction Requirements

A. Junsdiction LimitiitieR Reqmrments

A member board may offer NCEES examinations or its jurisdiction e. eeit aa noted iR plll'(lgl'lfllh C. The member board must make suitable arrangements to protect the confidentiality of the examination materials. Administration of examinations must conform to the NCEES schedule timeframes for examinations. Individual applicants should apply to the member board in accordance with that jurisdiction's operating policies and procedures. This policy does not preclude a member board from offering a CBT examination in a jurisdiction.

B. Approved Test Centers

Approved examinees may sit for a CBT examination at any NCEES-approved test center located in North America or any U.S. territory.

- Military Base Examination Accommodations

This policy does not preclude a member board from offering the examination at a NCEES approved site to U.S. military personnel stationed at military bases outside the United States.

Approved examinees from the U.S. military serving outside of the United States and U.S. territories and their spouses residing outside of the United States and U.S. territories may request to take a CBT examination at an NCEES-approved test center located outside of these areas. NCEES will review all requests and make recommendations regarding the approval of the request.

GI. PE Structural Engineering Exam Administration

Beginning with the April 2022 pencil-and-paper administration, Qf the 16 heH' PE Structural Engineering exam will--be- offered as a regional exam and administered only by NCEES. This policy will continue until the exam transitions to computer-based testing. Examinees will be allowed to travel beyond jurisdictional boundaries to take the exam.

Rationale

The proposed changes reflect that member boards do not administer exams, that testing centers do administer exams, and that the PE Structural exam is now offered regionally.

Board of directors' position

Endorses, consent agenda

Item 6

Move that Exam Administration Policy 6 be amended as follows:

EAP 6 Access to and Review of Examinations

There shall be no post-administration access to, or review of, examination materials by an examinee or his or her representative.

Member boards may allow examinees to Examinees may request that their results for multiple-choice questions from a pencil-and-paper examination be verified by NCEES by manual verification, for a fee established by the NCEES board of directors.

Rationale

The proposed changes incorporate gender-neutral language and reflect that member boards do not administer examinations.

Board of directors' position

Endorses, consent agenda

Item 7

Move that Exam Administration Policy 7 be amended as follows:

EAP 7 Requests for Special Examination Accommodations

NCEES, in cooperation with the member boards, must determine reasonable, fair, and equitable methods to be employed to administer examinations to candidates. All such accommodations shall comply with applicable federal and state laws and regulations. NCEES will review all requests for accommodation and make recommendations regarding the approval of the request.

Member boards and testing agencies must follow the procedures in the Security and Administrative Procedures Manual regarding these requests.

Rationale

The proposed amendments reflect that member boards no longer administer examinations.

Board of directors' position

Endorses, consent agenda

EPP Motion 13

Moved that Exam Administration Policy 8 be amended as follows:

EAP 8 Release and Use of Examination Results

A Results Reporting

Examination results shall be released only to the respective member board, or its designee, directly to examinees as directed by the member board. Examination results for candidates suspected of an exam irregularity shall not be released until the irregularity has been resolved per the *Security and Administrative Procedures Manual*. Reporting of examination results for candidates will be reported only as pass or fail. All failing candidates will be provided with a diagnostic report to indicate performance on those sections attempted.

The new model of fees for each candidate will be furnished to member boards. The House of Representatives shall establish the fee schedule. The Board of Directors shall be authorized to make any necessary changes to the fee schedule. The Board of Directors shall be authorized to make any necessary changes to the fee schedule.

B. Validity and Integrity

NCEES shall strive to ensure that the validity and integrity of the examinations are preserved and examinees are treated in a fair and equitable manner. NCEES reserves the right to treat exam scores as final and not subject to change after one year has passed from the date of release from NCEES to the member boards. If there is a best possible change in the exam scores within a year of the date NCEES releases the examination results roster to the member boards, then NCEES will notify the member board only if the best possible change in exam scores alters a candidate's status from fail to pass.

NCEES reserves the right to notify the member boards at any time if it learns that a candidate engaged in any improper conduct relating to the exam on which the score was obtained or took any action that jeopardized the security of any other NCEES exam or exam administration.

Rationale

The EPP Committee reviewed and endorses the amendments to EAP 8 proposed by the Committee on Law Enforcement (see Law Enforcement Motion 2). EPP is proposing additional changes to reflect the current reporting of results in a CBT format.

Board of directors' position

Endorses, consent agenda

IS:Q#i SMh.i.141

Move that Exam Administration Policy 9 be amended as follows:

EAP 9 Providing Examination Score Results for Licensing by Comity

When examination score results are requested for purposes of licensing by comity, member boards should report score results provided by NCEES to the official scorer. Member boards shall refrain from providing scores that have been provided or deepened by the member board to a re-evaluation of an individual's examination review. A member board policy, or any other action, shall not be taken bilaterally by the member board.

Rationale

The amendments are proposed because results (pass/no pass) are all that is required.

Board of directors' position

Endorses, consent agenda

IS:Q#i SMh.i.141

Move that Exam Administration Policy 11 be amended as follows:

EAP 11 Security and Administrative Procedures

Member boards and testing services shall follow the applicable examination security procedures as prescribed by the NCEES Security and Administrative Procedures Manual.

All proctors participating in the administration of NCEES pencil and paper examinations shall be supplied with written examination administration and security procedures and instructions prior to each examination in sufficient time to address any questions and shall submit written affirmation that they have reviewed these procedures and instructions.

Rationale

The amendments are proposed to clean up language, reflect that member boards do not administer exams, and clarify that pencil-and-paper exams require that proctors be provided procedures and instructions.

Board of directors' position

Endorses, consent agenda

EPP Motion 16

Move that Exam Administration Policy 12 be amended as follows:

EAP 12 Exam Administration Audits

Member boards or their authorized representatives are required to participate in exam administration audits established by the NCEES board of trustees' exam administration committee in order to ensure the integrity of the licensure process.

Member boards or their authorized representatives will follow the procedures established in the auditing Committee's Handbook with the NCEES *Surveying and Mapping Administration and Practice Manual*. These will include member board self-audits, or hire a qualified individual, and use of the NCEES Compliance and Security audit forms.

CBT examination forensics, including a secret shopper-type program (which shall include a person who is requested to take the exam at a test center to verify quality assurance of the examination process), may be performed in accordance with the vendor-NCEES contract. Secret shopper exposure to NCEES examination content is restricted to an NCEES staff member or a licensed engineer or surveyor who has already passed the appropriate NCEES exam.

Rationale

The amendments are proposed to reflect that member boards no longer administer examinations.

Board of directors' position

Endorses, consent agenda

PS 14 CBT Based Testing

Move that Position Statement 14 be deleted.

PS 14 CBT Based Testing

The NCEES position of computer-based testing (CBT) is as follows:

- A. Conversion of the NCEES examination to CBT should be initially limited to exams.
- B. The content areas, delivery methods, types, and processes associated with the CBT examination are identified in the "CBT" section of the NCEES Principles and Practice of Surveying and Mapping Manual and shall be updated in order to remain consistent with the progress of professional practice as well as future technological advances to CBT.

Rationale

The position statement is no longer needed because all NCEES exams except the PE Structural exam have already transitioned to CBT.

Board of directors' position

Endorses, consent agenda

Committee on Examinations for Professional Surveyors 1 motion

EPS Motion 1

Move that the Committee on Uniform Procedures and Legislative Guidelines be charged with incorporating the following amendments into *Model Law* 130.10.C.2.a:

130.10 General Requirements for Licensure

- C. Surveying
 2. Licensure as a Professional Surveyor
 - a. Initial Licensure as a Professional Surveyor
A surveyor intern with a specific record of four years or more of some office and field progress in a field of experience satisfactory to the board in accordance with the vision of a professional surveyor shall be admitted to the NCEES Principles and Practice of Surveying examination and shall be required to pass these examinations, and any required state-specific examinations and satisfying the education and experience requirements, the applicant shall be eligible to be licensed as a professional surveyor, if otherwise qualified.

Rationale

By decoupling the vital surveying experience requirement from the administration of the PS exam, licensing candidates, NCEES, and member boards will all benefit from automating the examination process, removing obstacles and promoting licensure, embracing the diversity of experience within licensing jurisdictions, and lowering the average age of FS and PS examinees (average age is significantly higher than that of FE and PE examinees). It will also provide a flexible licensing pathway for licensure candidates from differing career paths, better accommodate candidates who are protected by the ADA and may face hurdles in the working (field/office) environment, and increase licensure from peripheral disciplines (e.g., photogrammetric).

Board of directors' position

Endorses, consent agenda

Committee on Finances (6 motions)

ii. @i.144.Mhh.iii

ove thba_t the adoption of the 2022 budget as shown in **Appendix B** be postponed to the end of the last business session in order to take into account any subsequent actions adopted by the Council that may affect this budget.

Board of directors' position

Endorses, consent agenda

Finance Motion 2

Move that the adoption of the 2022-23 capital budget as shown in **Appendix C** be postponed to the end of the last business session in order to take into account any subsequent actions adopted by the Council that may affect this budget.

Board of directors' position

Endorses, consent agenda

Finance Motion 3

Move that Financial Policy 6 be amended as follows:

FP 6 Examination Charges

The Committee on Finances shall annually review all examination charges and propose any changes to examination fees for Council vote at the annual meeting. The current exam fees-prices are as follows:

| <u>Examination</u> | <u>Fee/Price</u> | <u>Effective Date</u> | <u>Date of Meeting</u> |
|--|------------------|-----------------------|------------------------|
| Computer-based FE* | \$-175 | 8/4/22 | 1/28/24 |
| Computer-based FS* | \$-175 | 8/4/22 | 1/28/24 |
| Penetration Testing PE** | \$5150 | 8/15 | 4/13 |
| Computer-based PE* | \$375 | 8/16/22 | 1/28/24 |
| Computer-based PS* | \$300 | 8/15 | 1/16/24 |
| Structural Lateral Forces component** | \$400 | 8/09 | 4/11 |
| Structural Vertical Forces component** | \$400 | 8/09 | 4/11 |

For computer-based examinations, examinees will be required to pay NCEES directly. All examinees are required to pay NCEES directly; this requirement includes both computer-based and pencil-and-paper examinations.

*Fee-Price includes exam development, scoring, and computer-based exam administration.

**Fee-Price includes exam development, scoring, shipping, and materials. Exam administration fees will remain separate for pencil-and-paper exams.

Rationale

Exams are the primary source of revenue for NCEES and must generate a nominal amount of positive income to ensure that sufficient short-term and long-term resources are available to the organization. This income is used

to fund many programs and services that support the Council's mission and provide value to the member boards and the general public. The current pricing structure for the CBT exams does not generate sufficient revenue to cover the costs associated with the exams. Continued losses such as those currently being realized by the Council are not sustainable and will negatively affect the organization's financial health.

Board of directors' position

Endorses, non-consent agenda

Finance Motion 4

Move that Financial Policy 6 be amended as follows to incorporate the computer-based PE Structural exam:

FP 6 Examination Charges

| Examination | Fee | Date Proposed | Date effective |
|---|-------|---------------|----------------|
| <u>Pencil-and-paper</u> Structural Lateral Forces component | \$400 | 8/09 | 4/24 |
| <u>Pencil-and-paper</u> Structural Vertical Forces component | \$400 | 8/09 | 4/24 |
| <u>Computer-based</u> Structural exam | | | |
| <u>Vertical breadth section</u> | 350 | 8/21 | 1/1/24 |
| <u>Vertical depth section</u> | 350 | 8/21, 1/1/24 | 1/1/24 |
| <u>Lateral breadth section</u> | \$350 | 8/21 | 1/1/24 |
| <u>Lateral depth section</u> | 350 | 8/21 | 1/1/24 |

The current Structural exam will be transitioning from a pencil-and-paper format consisting of a vertical section and a lateral section given on two separate days to a computer-based exam consisting of vertical and lateral sections with separate breadth and depth components for each section in four separate exam seatings. This includes exam development, scoring, and computer-based exam administration of each section.

Rationale

The current pricing structure for the PE Structural exam only provides pricing in a pencil-and-paper format. The proposed language identifies pricing for the current PE Structural components in a pencil-and-paper format through the October 2023 exam administration and sets the prices for each section of the CBT Structural exam beginning with exam administrations in 2024.

Board of directors' position

Endorses, consent agenda

Finance Motion 5

Move that Financial Policy 1C be amended as follows:

FP 1 Council Funds

C. The reserve funds (current tangible assets plus tangible marketable long-term investments minus current liabilities) should be accumulated to and maintained at a level sufficient for each of the following:

- A designated reserve equal to a minimum amount of 100 percent of the annual operating budget, plus a designated exam breach reserve equal to the computed cost of a total-principal or total liability exam breach based on the current approved item replacement costs.
- A total breach reserve equal to the anticipated costs of such an incident, including lost revenue during recovery, less insurance provisions.
- A holding reserve for long-range capital improvements and replacements for the NCEES headquarters building.

Reserve funds of the breach levels and fluctuating costs in excess of the reserves stated above may be designated by the board of directors for other NCEES mission advancement initiatives or capital projects. If the reserve funds fall below this level the reserve levels stated above, the Council shall strive to correct the

situation. All reserves shall be reviewed annually by NCEES staff and presented to the board of directors and the Committee on Finances.

Rationale

The committee recommends that the current language in FP 1C be revised to clarify the intent that NCEES maintain designated reserves for each of the specified purposes. The committee also recommends that both a data breach reserve and a building reserve be established to protect the overall financial health of the Council.

Board of directors' position

Endorses, non-consent agenda

Finance Motion 6

Move that Financial Policy 11 be amended as follows:

FP 11 Exam Breach

Each member board the exam delivery contractor shall reimburse NCEES for the then-current replacement costs of all exam questions items whose security is compromised due to negligence while in the contractor's custody a. eelltfel of the member beru.d a. BB agent of the member board. iBeledmg & By test de!Y.e.v eelltfae, ether thBB NCEES. This peliev applies with espeet ta allseell!e euamiBatieBB developed by NGIES. Whether a emp.emise an EXAM breach has occurred for purposes of this policy shall be determined by the NCEES board of directors following an investigation of the incident and evaluation of all information submitted by the member beru.d EXAM delivery contractor, input from third-party consultants if deemed appropriate, and recommendations from a duly constituted NCEES breach committee. Member beru.ds shall net be PesJleBsiliie fer IIBY eempromise that eell!B while enamiBatiem materials ru.e iB the eestdy er eelltfel ef a BffifililBg serviee se leng as the member beru.d has shiJJled the materials in eempliBBee with applicabe shi!Jlffig FefltH'emen-ts.

Rationale

The committee recommends revising the existing language in FP 11 for clarification and to reflect current practices related to a potential exam breach.

Board of directors' position

Endorses, non-consent agenda

Committee on Law Enforcement (2 motions)

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Move that the Committee on Uniform Procedures and Legislative Guidelines be charged with incorporating the following amendment into Model Law ntr. 2 & e.

110.20 Definitions

0. Disciplinary Action-The term "Disciplinary Action," as used in this Act, shall mean any final written decision or settlement taken against an individual or firm by a licensing board based upon a violation of the board's laws and rules. Disciplinary actions include reprimands; administrative fines; the board's refusal to issue, restore, or renew a license; settlement agreements or consent orders; probation; suspension; revocation; or any combination thereof. Disciplinary action also includes voluntarily surrendering, relinquishing, or agreeing not to renew the license as part Of an agreement or board order to avoid disciplinary action for a violation of the board's laws or rules.

Rationale

The amendment provides examples of disciplinary actions to clarify the definition.

Board of directors' position

Endorses, consent agenda

Law Enforcement Motion 2

Move that Exam Administration Policy 8 be amended as follows:

EAP 8 Release and Use of Examination Results

C. EB Case of 11ft Irregularity

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D. Ei.RmiHee NeH GompliliHee

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C. Exam Irregularities

All NCEES exam irregularities should be evaluated by NCEES with regards to invalklation of exam results. If a candidate fails to comply with the conditions stated in the *NCEES Examinee Guide*, NCEES shall have the authority to invalidate exam results and, furtherennore, shall have the authority to suspend a candidate's abity to take an NCEES examination for up to three years. If deemed appropriate, NCEES shall also have the right to pursue additional restrictions on future testing, civil remedies, and/or criminal remedies. NCEES will notify the member board selected by the examinee of the specific terms and reasons for the invalidation and/or ban. NCEES will qpdte the examinee's account to make this infonnation available to all member boards.

If a member board objects to NCEES' decision to ban an examinee's registration, NCEES will update the examinee's accoqnt to allow the examinee to select that member board and register for an examipation in accordance with the terms set forth by that member board.

Rationale

NCEES delegates passed a 2020-21 Advisory Committee on Council Activities motion to charge the appropriate committee with incorporating the first paragraph under the proposed Exam Irregularities section above. Toe ACCA rationale for the motion was as follows: "Making these changes will provide consistency in determining exam invalidation for examinees who violate the exam rules provided in the *NCEES Examinee Guide*. Member boards will no longer have to shoulder the responsibility for conducting investigations into exam irregularities. They will still be informed of the identity of any examinee whose results are invalidated, and the reason for invalidation will be noted in the NCEES Enforcement Exchange database."

The Committee on Law Enforcement recommends adding additional language (paragraphs 2-3 in the proposed Exam Irregularities section) to outline a process for communication and documentation of NCEES' decision and to provide relief for a member board that does not agree with NCEES' decision to ban an examinee's registration. These changes replace EAP 8.C, In Case of an Irregularity, and EAP 8.D, Examinee Non-Compliance, which primarily address exam irregularities during pencil-and-paper exam administrations.

Board of directors' position

Endorses, consent agenda

Committee on Uniform Procedures and Legislative Guidelines (6 motions)

UPLG@MMII-i, 11

Move that Position Statement 16 be amended as follows:

PS 16 Electronic Notary

The use of digital signatures has dramatically changed the practice of producing, submitting, and reproducing reports, drawings, and specifications by practitioners, but the need to safeguard the health, safety, and welfare of the public has not changed.

The use of digital signatures can adequately safeguard the public if the appropriate guidelines are followed. Electronic technology must be encouraged in an open and unrestrictive environment. It is the responsibility of the member boards and other jurisdictions to encourage the use of digital signature technology to further safeguard the public from the current common practice of delivering documents electronically with no security or protection. Refer to Model Rules 240.20, Seal on Documents, for further information.

Rationale

The UPLG Committee feels that more-detailed information is included in the *Model Rules* and thus adding a reference to it seems prudent.

Board of directors' position

Endorses, consent agenda

UPLG@MMII-i, 4

Move that Position Statement 37 amended as follows:

PS 37 Remote Sensing Technologies

In the interest of safeguarding the public health, safety, and welfare, the use of remote sensing technology (including but not limited to both aerial, and-ground based, and hydrographic) to perform professional services defined in NCEES *Model Law* 110.20 A.5, Practice of Engineering, and 110.20 B-4, Practice of Surveying, shall be under the responsible charge of an appropriately licensed professional.

Rationale

The UPLG Committee feels that these revisions to PS 37 improve clarity and that adding hydrographic as an example makes the position statement more comprehensive.

Board of directors' position

Endorses, consent agenda

UPLG@MMII-i, 1e

Move that *Model Rules* 240.30 C be amended as follows:

240.30 Continuing Professional Competency

The purpose of the continuing professional competency requirement is to demonstrate a continuing level of competency of licensees.

C. Qualifying Activities

PDHs may be earned as follows:

1. Successful completion of college courses
2. Successful completion of short courses, tutorials, webinars, and distance-education courses offered for documented individual or group study. The method of delivery can be through the following:
 - a. Face-to-face programs or live internet-based programs
 - b. Archived prerecorded programs or archived correspondence programs
3. Presenting or attending qualifying seminars, in-house courses, workshops, or professional or technical presentations made at meetings, conventions, conferences, or educational institutions
4. Teaching or instructing in 1 through 3 above
5. Authoring published papers, articles, books, or accepted licensing examination items
6. Active participation in professional or technical societies or in accrediting organizations
7. Obtaining a patent
8. Active participation in educational outreach activities pertaining to professional licensure or the surveying/engineering professions that involve K-12 or higher education students

Rationale

The 2020-21 Committee on Education proposed a motion to charge UPLG with modifying 240.30 C related to continuing professional competency requirements. The Education Committee's rationale for modifying the language was as follows: "The committee feels that the efforts to obtain a patent are qualifying activities for PDHs. The current language simply states, 'patent,' and this motion corrects the language to be an action similar to the other items in section C."

The UPLG Committee agrees with the revision.

Board of directors' position

Endorses, consent agenda

UPLG Motion 4

Move that *Model Rules* 240.30 D be amended as follows:

240.30 Continuing Professional Competency

The purpose of the continuing professional competency requirement is to demonstrate a continuing level of competency of licensees.

D. Units

The conversion of other units of credit to PDHs is as follows:

- | | |
|--|------------------------------|
| 1. 1 semester hour | 45 PDHs |
| 2. 1 quarter hour | 30 PDHs |
| 3. 1 continuing education unit | 10 PDHs |
| 4. 1 hour of professional development in coursework, seminars, or professional or technical presentations made at meetings, conventions, or conferences..... | 1 PDH |
| 5. For teaching in 1 through 4 above, apply multiple of 2• | |
| 6. Publications | |
| a. Each published peer-reviewed paper or book in the licensee's area of professional practice..... | 10 PDHs |
| b. Each published paper or article (other than 6.a above) in the licensee's area of professional practice | 5 PDHs |
| 7. Active participation in professional and technical society (each organization) | 2 PDHs |
| 8. Each patent..... | 10 PDHs |
| 9. <u>Active volunteer participation in standards or code development technical committees, standards, or code commissions</u>•.....•..... | up to 4 PDHs |
| • 1 hour of outreach activities | 1 PDH (not to exceed 3 PDHs) |

• Teaching credit is valid only for the first offering or presentation. Full-time faculty may not claim teaching credit associated with their regular duties.

Rationale

The 2020-21 Committee on Education proposed a motion to charge UPLG with modifying 240.30 C related to continuing professional competency requirements. The Education Committee's rationale for modifying the language was as follows: "Volunteers who hold P.E./P.S. licenses and are active in standards or codes

development spend many hours collaborating to develop these standards and guides. The work required to develop codes and standards is engineering or surveying related. The committee feels that the efforts to develop codes and standards within the engineering and surveying professions are qualifying activities for PDHs."

The UPLG Committee agrees with the revision:

Board of directors' position

Endorses, consent agenda

@Jiffi@Milli,LI

Move that *Model Rules* 240.30 Ebe amended as follows:

240.30 Continuing Professional Competency

The purpose of the continuing professional competency requirement is to demonstrate a continuing level of competency of licensees.

E. Determination of Credit

the-board liafdiii:Liilliofty WJ.Th re8pe-cl -tO approvarOfcirllrse5.credit.- PITH Value JOF-00UI"SeS, arid-otliel' methods of earning credit.

1. Credit for college or community college approved courses will be based upon course credit established by the college.
 - a. A semester credit hour represents 15 classes with 1 hour of instructional time plus 2 additional hours of student engagement with the subject material through homework, laboratory work, internships, practicums, studio work, or other academic work, resulting in 45 PDHs.
 - b. A quarter credit hour represents 10 classes with 1 hour of instructional time plus 2 additional hours of student engagement with the subject material through homework, laboratory work, internships, practicums, studio work, or other academic work, resulting in 30 PDHs.
2. Credit for qualifying seminars and workshops will be based on 1 PDH for each hour of attendance. Attendance at qualifying programs presented at professional and/or technical society meetings will earn PDHs for the actual time of each program.
- 3- Credit determination for activities in subsections D.6 and D.8 is the responsibility of the licensee (subject to review as required by the board).
- 4- Credit for activity in subsection D.7, active participation in professional and technical societies (limited to 2 PDHs per organization), requires that a licensee serve as an officer and/or actively participate in a committee of the organization. PDHs are not earned until the end of each year of service is completed.

Rationale

The 2020-21 Committee on Education proposed a motion to charge UPLG with modifying 240.30 E related to continuing professional competency requirements. The Education Committee's rationale for modifying the language was as follows: "Member boards treat professional development hours earned through college courses differently. Some follow the *Model Rules*; others define the member's own system. The committee feels that the current *Model Rules* addresses PDHs accurately and is providing the amendment..... to help clarify why one semester hour is equal to 45 professional development hours."

The UPLG Committee added the bullet point about quarter hours since this was inadvertently left out by the Committee on Education last year. UPLG added further explanation in the bullet points for clarification.

Board of directors' position

Endorses, non-consent agenda

UPLG Motion 6

Move that *Model Law* 130.10 C be amended as follows:

130.10 General Requirements for Licensure

Education, experience, and examinations are required for licensure as a professional engineer or professional surveyor as set forth by the jurisdiction.

C. Surveying

2. Licensure as a Professional Surveyor

a. Initial Licensure as a Professional Surveyor

A surveyor intern with a specific record of four years or more of combined office and progressive field experience satisfactory to the board in surveying under the supervision of a professional surveyor and satisfactory to the board shall be admitted to the NCEES Principles and Practice of Surveying examination and any required state-specific examinations. Upon passing these examinations, the applicant shall be licensed as a professional surveyor, if otherwise qualified.

Rationale

Last year's UPLG Committee was charged with reviewing the *Model Law* and *Model Rules* to determine if processes outlined within the documents place an unintended barrier to potential licensees from underrepresented groups. The committee's rationale for its amendments was as follows: "As a result of this review, the committee decided that the *Model Law* terms 'combined office' and 'field experience' ... could be a barrier to people with physical disabilities. It is therefore proposing to remove the specifics of office and field experience in the model document and to instead make it clear that the progressive experience should be satisfactory to the board. Making the language broader would help facilitate comity licensure among boards."

The proposed amendments simplify the language and allow "progressive" to relate to both field and office experience.

Board of directors' position

Endorses, non-consent agenda

Engineering Licensure Model Task Force (1 motion)

ELMTF Motion 1

Move that Position Statement 35 be replaced as shown:

PS 36 F1111F8 Educational Requirements for Engineering Applicants

One of the goals of NCEES is to advance the standards for all professional engineers. These standards describe the technical and professional competencies needed to safeguard the health, safety, and welfare of the public. The Commission recognizes that future demands for engineering and professional skills have resulted in the need for additional education beyond the bachelor's degree for those entering the engineering profession. Therefore, the purpose of this Position Statement is to require that a bachelor's degree is in engineering from a program accredited by EAC/ABET or a bachelor's degree in engineering that meets the NCEES Engineering Education Standard as determined by NCEES.

NCEES has identified several future trends by which candidates for licensure as a professional engineer might obtain the body of knowledge needed to meet these educational requirements, including the following:

- A. A bachelor's degree and a master's or earned doctoral degree in the same technical area of engineering from a program that offers an EAC/ABET accredited bachelor's degree
- B. A master's degree in engineering from a program accredited by EAC/ABET
- C. A bachelor's degree from a program accredited by EAC/ABET that has a minimum of 150 semester credit hours, of which at least 115 semester credit hours are in mathematics, science, engineering combined and at least 55 of these semester credit hours are in engineering
- D. A bachelor's degree and at least 30 additional semester credit hours earned per calendar year after 2001 undergraduate graduate coursework in engineering or related science, mathematics, or professional practice topics such as business, communication, ethics, management, ethics, public policy, and quality control from a pre- or post-graduate institution that has an EAC/ABET accredited program or institution or an institution accredited by the NCEES Engineering body
- E. A bachelor's degree and 80 assessed learning days (ALDs) in areas germane to the professional practice and that support and enhance the licensee's ability in their technical area of practice
 1. ALDs can be earned through credit or non-credit courses. The applicant shall be required to demonstrate successful completion and that the coursework was of sufficient credit hours.

2. CeHfoowerl, may include UIH'ICrsity eeUPSeS, industrial in heuse Sf>eeialty eeumes, shert eeHfseS and eertifiee.tien eeHfseS effered by f>refessional and technical seeties, and ether eurseS meeting standards te be dCYelef>ed by IGEES.
3. At least 40 ALDs shall be frem technical engineering eursewerk Neateehneal ALDs include f>refessional f>P8etiee tef>ies such as business, eeffiffiunieatiens, eeatraet la,N, manogemeat, ethics, flublie f>eliev, and EfUality eontrol.
4. Fer nan uni•eFSity f>revided eursewerk, a eoHfse that el!fills ALD credit must have a syllabus, learning ebieetP/es, and euteomes assessment.
5. Fer nan unfl•eMity f>revided eursewerk, ene ALD unit shall be defined as eight heHfs ef eontact time.
6. Fer uni•ersity f>reAded eeUPSe'derl a three semester credit heHf eeHfse shall CEfUal si.c ALDs.
- 2- Any single eoUPSe must eensist ef at least ene ALD.
IGEES will eentinue te CIfllere alternati•e euee.tienal flathways fer eaeilidates fer lieensure as f>refessional engineers te dCYelefl the body ef l.me... ege needed fer entry into the f>refessien. These alternati•es will be develefl through eollaberatien with technical engineering seeties and ether stakheldem engaged •.4th the engineering f>refessien.

PS 35 Framework for Future Engineering Licensure

One of the goals of NCEES is to advance licensure standards for all professional engineers. Those standards describe the technical and professional competency needed to safeguard the health, safety, and welfare of the public. Toe Council rerogniw, that future demands for increasing technical and professional knowledge and skills Will require the licensure process, including education and experience requirements, to be updated to meet these changing needs and ensure a competent level of professional engineering practice. NCEES supports a licensing framework that covers the life cycle of a professional engineer, with multiple focused pathways to licensure. These pathways include supplemental education focused on depth of technical knowledge and professional practice, a robust and adaptahle system for assessment and evaluation, a system of focused and progressive experience, and lifelong learning.

NCEES recognizes that different areas of engineering practice may have differing requirements or paths to demonstrate a competent leve! of professional knowledge and skills. These future pathways will be developed to address the needs of the various areas of engineering practice as appropriate to safeguard the health, safety, and welfare of the public and support the strength and growth of the engineering profession.

Pathways by which a candidate for licensure as a professional engineer might obtain the body of knowledge needed to meet future education and experience requirements include the following:

- A. A bachelor"s degree in engineering or engineering technology
- B. Focused and guided supplemental education requirements prior to licensure to address technical depth and professional practice, which may include
 - a. Additional formal education, such as a master's or doctoral degree
 - b. Certifications by recognized technical professional organizations
 - c. Professional-level continuing education courses
- C. Focused and quided experience prior to Hcensure
- D. Increased professional mentorship during the licensure process

Rationale

The current PS 35 language is prescriptive and, to a large degree, unworkable. The replacement language is forward looking and flexible. Different engineering disciplines may very well determine different requirements/expectations for licensure. This language also recognizes the shortcomings now seen in the experience part of licensure and will provide for additional requirements during this crucial phase of the licensure process.

Board of directors' position

Endorses, consent agenda

Move that the Committee on Uniform Procedures and Legislative Guidelines be charged with incorporating the following amendments into *Model Law* 130.10 B.2.b:

130.10 General Requirements for Licensure

B. Engineering

2. Licensure as a Professional Engineer

b. Licensure by Comity for a Professional Engineers•

The following shall be considered as minimum evidence satisfactory to the board that the applicant is qualified for licensure by comity as a professional engineer:

- 1) An individual holding a certificate of licensure to engage in the practice of engineering issued by a proper authority of any jurisdiction or any foreign country, based on requirements that do not conflict with the provisions of this Act and possessing credentials that are, in the judgment of the board, of a standard that provides proof of minimal competency and is comparable to the applicable licensure act in effect in this jurisdiction at the time such certificate was issued may, upon application, be licensed without further examination except as required to examine the applicant's knowledge of statutes, rules, and other requirements unique to this jurisdiction; or
- (2) An individual holding an active Council Record with NCEES, whose qualifications as evidenced by the Council Record meet the requirements of this Act, may, upon application, be licensed without further examination except as required to examine the applicant's knowledge of statutes, rules, and other requirements unique to this jurisdiction.;

[3] An individual holding a certificate of licensure to engage in the practice of engineering issued by any jurisdiction may, upon application, be licensed without further examination except as required to examine the applicant's knowledge of statutes, rules, and other requirements unique to this jurisdiction, if they meet all three of the following criteria:

(a) has been actively licensed for a minimum of 10 years continuous immediately preceding application to this jurisdiction;

{b} has not received any form of disciplinary action related to professional conduct or practice from any jurisdiction within the five years immediately preceding application to this jurisdiction; and

{c} has not had their professional license suspended or revoked at any time from any jurisdiction.

3 Jurisdictions (boards) that do not license by discipline may license an individual as a professional engineer.

4 Jurisdictions (boards) that license by discipline may license an individual in any discipline in which the individual can verify his or her competency.

Rationale

The Western Zone believes that proposed changes to existing licensure laws by local legislative bodies have been increasing in frequency and severity and that this addition to the *Model Law* will allow jurisdictions, if they so wish, to remove regulatory barriers and allow expediency to professional engineering licensure without increased hazard to the public that each board serves. The intent is to utilize a history of board-monitored safe practice in lieu of any unique licensure criteria applied on a jurisdiction-by-jurisdiction basis that could prevent licensure of otherwise qualified individuals.

Board of directors' position

Does not endorse, non-consent agenda

Board of directors' rationale

The board of directors does not endorse this change because it essentially plays to the lowest engineering licensure requirements. A number of boards have educational requirements, and this change would allow an experience-only path for those states, since some other jurisdictions have experience-only paths. This path would conflict with the current model documents and professional policies that refer to the three-legged stool of education, experience, and examinations. The board also questions whether 10 years is a long enough license requirement.

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➤ **Land Surveyors**

- **NCEES Update (as above)**
- **VAS Summer Seminar,
June 10, 2022**
- **VAS Fall Seminar,
September 30, 2022**
- **VAS: Celebrating the
50th Anniversary of the
Brooks Act - Emailed
October 27, 2022**

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And are not to be construed as a recommendation for official board position
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➤ **Architects**

○ **AIA**

- **AIA Newsletters - Emailed
May 12, 2022 and July 13,
2022**
- **AIA Virginia Member News
for August- Emailed August
10, 2022**
- **AIA Virginia Design Awards
Announced - Emailed
October 12, 2022**

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- **NCARB Update**

- **United States and United Kingdom Ratify Reciprocity Agreement for Architects - Green Handout**
- **ARE Update: You Can Now Schedule Exams with PSI - Emailed April 27, 2022**
- **May Board Member Reports**
 - **Emailed June 7, 2022**
- **ARE Update: Welcome to PSI - Emailed June 14, 2022**
- **ARE Update - NCARB Has Migrated to PSI - Emailed June 14, 2022**

- **NCARB Update (continued)**
 - **NCARB Fast Facts - June Special Edition - Emailed June 21, 2022**
 - **June Member Board KPI Reports - Emailed July 8, 2022**
 - **ARE Update - Two New Accommodations for Architect Registration Examination Candidates - Emailed July 13, 2022**
 - **NCARB Updates for March, April, and May - Emailed May 25, 2022 and July 8, 2022**

- **NCARB Update (continued)**
 - **Member Board Data Report for April and March - Emailed May 5, 2022 and May 26, 2022**
 - **A Recap of NCARB's 2022 Annual Business Meeting - Emailed July 19, 2022**
 - **June NCARB Update - Emailed July 19, 2022**
 - **National Architect: Get to Know NCARB's New President - Emailed July 28, 2022**

- **NCARB Update (continued)**
 - **July Member Board Report**
- Emailed August 4, 2022
 - **Destination Architect:**
Prepare for the ARE with
our Test Prep Resources -
Emailed August 10, 2022
 - **NCARB July Fast Facts -**
Emailed August 15, 2022
 - **Get the Latest Updates on**
NCARB by the Numbers -
Emailed August 15, 2022
 - **Reminder: Get the Latest**
Updates on NCARB by the
Numbers - Emailed August
18, 2022

- **NCARB Update (continued)**
 - **July NCARB Update - Emailed August 18, 2022**
 - **August Member Board Reports - Emailed September 12, 2022**
 - **ARE Update: FREE Practice Exams Now Available for All Candidates - Emailed September 18, 2022**
 - **August NCARB Update - Emailed September 22, 2022**
 - **NCARB August Fast Facts - Emailed September 26, 2022**

- **NCARB Update (continued)**
 - **September Member Board Report - Emailed October 7, 2022**
 - **NCARB September Fast Facts - Emailed October 26, 2022**

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Press

NCARB Launches Exam Accommodations for ESL Testers

06/27/2022

Washington, DC—The National Council of Architectural Registration Boards is pleased to begin offering testing accommodations for Architect Registration Examination® (ARE®) candidates who speak or read English as a second language (ESL). This decision is a result of NCARB's data-led exploration of how its programs and services may disproportionately impact candidates from under-represented groups.

Candidates who are non-native English speakers can now apply for two ESL accommodations:

- **Additional testing time:** Twenty percent (20%) of the original testing time for each division added as an extension to the original testing time.
- **Word-to-word translation dictionary:** For candidates testing at a PSI test center, use of a personally supplied, printed word-to-word translation dictionary of the candidate's choosing that has no additional notes or markings added to the text.

NCARB already offers accommodations for disabilities and temporary medical conditions, guided by the Americans with Disabilities Act (ADA). The new ESL accommodations join the organization's existing accommodations process to ensure that the national licensing exam—which is required by all 55 U.S. jurisdictions—is accessible for all candidates. These accommodations represent an important step toward encouraging greater diversity, equity, and inclusion (DEI) along the path to architectural licensure.

“By ensuring that candidates who speak English as a second language have access to the resources they need to succeed on the exam, we hope to

lessen unnecessary barriers on the path to licensure—while still confirming that the individuals who become licensed architects possess all the necessary knowledge and skills to protect the public,” said NCARB President Bayliss Ward, NCARB, AIA.

The organization designed these ESL accommodations following extensive research and analysis on the performance of candidates who are non-native English speakers. Based on the findings regarding exam completion rates, pass rates, and more, NCARB worked with its psychometrician consultants to develop these industry-standard ESL accommodations.

Application Process

Candidates can apply for either or both ESL accommodations if English is not their native language. To apply, they can download a form from NCARB’s website and submit the form to testingaccommodations@ncarb.org with the subject line “ESL Accommodation.”

Jurisdictional Limitations

New York cannot accept divisions of the ARE passed using ESL accommodations. Candidates interested in reciprocal or initial licensure in New York who complete the ARE using ESL accommodations will be required to retake the ARE without the use of ESL accommodations.

Learn more about language accommodations for eligible ARE candidates.

About NCARB

The National Council of Architectural Registration Boards’ membership is made up of the architectural licensing boards of the 50 states, the District of Columbia, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S.

Virgin Islands. NCARB, in collaboration with these boards, facilitates the licensure and credentialing of architects to protect the health, safety, and welfare of the public.

To achieve these goals, NCARB works with its Member Boards and volunteers to develop and facilitate standards for licensure, including the national examination and experience program. NCARB also recommends regulatory guidelines for licensing boards and helps architects expand their professional reach through the NCARB Certificate. Connect with NCARB on [Twitter](#), [Facebook](#), and [YouTube](#).

Related Blogs



How to Handle ARE
Technical Issues
During an Online
Proctored Exam



How to Handle ARE
Technical Issues at a
PSI Testing Center



Answers to Your
FAQs About PSI, the
ESL Accommodation,
and More

Related Press



NCARB Launches
New Exam Vendor,
PSI



ARE Update: PSI
Launch Date +
Updated ARE
Guidelines



NCARB Announces
Date for Migration to
New Exam Vendor,
PSI

[Experience](#)

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Virginia Administrative Code

Title 18. Professional And Occupational Licensing

Agency 10. Board For Architects, Professional Engineers, Land Surveyors, Certified Interior Designers And Landscape Architects

Chapter 20. Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects Regulations

Part II. General Entry Requirements

18VAC10-20-55. Language and comprehension.

Applicants for licensure or certification shall be able to speak and write English to the satisfaction of the board. Applicants whose primary language has not always been English, or who have not graduated from a college or university in which English is the language of instruction, shall submit to the board a Test of English as a Foreign Language Internet-based Test (TOEFL iBT) score report. Score reports shall not be over two years old at the time of application and must reflect a score acceptable to the board. In lieu of the TOEFL, other evidence such as significant academic or work experience in English may be acceptable as determined by the board.

Statutory Authority

§§54.1-201 and 54.1-404 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 18, Issue 7, eff. March 1, 2002; amended, Virginia Register Volume 23, Issue 1, eff. February 1, 2007; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

Virginia Administrative Code

Title 18. Professional And Occupational Licensing

Agency 10. Board For Architects, Professional Engineers, Land Surveyors, Certified Interior Designers And Landscape Architects

Chapter 20. Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects Regulations

Part III. Qualifications for Licensing of Architects

18VAC10-20-140. Examination.

- A. The board is a member board of National Council of Architectural Registration Boards (NCARB) and is authorized to make available the NCARB-prepared exam. Applicants for original licensure are required to pass this exam.
- B. Applications for original licensure shall be approved by the board before applicants will be allowed to sit for the exam. Applicants who have satisfied the requirements of 18VAC10-20-110 and 18VAC10-20-130 and who are currently enrolled in or have completed the NCARB-administered architectural experience program or are actively participating in an integrated path accepted by NCARB to architectural licensure option with a National Architectural Accrediting Board-accredited professional degree program in architecture option shall be admitted to the exam.
- C. Applicants approved by the board to sit for the exam shall register and submit the required exam fee and follow NCARB procedures when taking the exam. Applicants not properly registered will not be allowed to sit for the exam.
- D. Applicants approved to sit for the exam shall be eligible for a period of three years from the date of their initial approval. Applicants who do not pass all sections of the exam during their eligibility period are no longer eligible to sit for the exam. To become exam-eligible again, applicants shall reapply to the board as follows:
1. Applicants who have taken at least one section of the exam and who reapply to the board no later than six months after the end of their eligibility may be approved to sit for the exam for an additional three years. The original application requirements shall apply.
 2. Applicants who do not meet the criteria of subdivision 1 of this subsection shall reapply to the board and meet all entry requirements current at the time of reapplication.
- E. Applicants will be notified of whether they passed or failed the exam. The exam shall not be reviewed by applicants. Unless authorized by NCARB rules and procedures, exam scores are final and not subject to change.
- F. Scoring of the exam shall be in accordance with the national grading procedure administered by NCARB.
- G. The board may approve transfer credits for parts of the exam taken and passed in accordance with national standards.

H. Applicants who have been approved for and subsequently pass the exam and who have satisfied 18VAC10-20-110, 18VAC10-20-120, and 18VAC10-20-130 shall be issued an architect license.

Statutory Authority

§§54.1-201 and 54.1-404 of the Code of Virginia.

Historical Notes

Derived from VR130-01-2 § 3.6, eff. October 18, 1985; amended, Virginia Register Volume 4, Issue 8, eff. March 1, 1988; Volume 6, Issue 20, eff. September 1, 1990; Volume 7, Issue 14, eff. May 8, 1991; Volume 8, Issue 7, eff. February 1, 1992; Volume 10, Issue 15, eff. May 19, 1994; Volume 13, Issue 23, eff. October 1, 1997; Volume 16, Issue 3, eff. December 1, 1999; Volume 18, Issue 7, eff. March 1, 2002; Volume 23, Issue 1, eff. February 1, 2007; Volume 25, Issue 5, eff. January 1, 2009; Volume 32, Issue 6, eff. January 1, 2016; Volume 37, Issue 24, eff. September 2, 2021.

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➤ **Certified Interior Designers**

○ **CIDQ Update**

- **ICOR Overlapping Practice Webinar, Occurred May 26, 2022 - Emailed May 11, 2022**
- **CIDQ Q Connection Summer 2022 - Emailed July 5, 2022**
- **International Code Council and American Society of Interior Designers Announce Partnership**
- **2023 CIDQ Board of Directors Ballot - Emailed August 1, 2022**

- **CIDQ Update (continued)**
 - **NEW! Interactive 3D Tool - Emailed September 20, 2022**
 - **DEI - Introducing My Design Journey - Emailed October 12, 2022**
 - **CIDQ Q Connection Fall 2022 - Emailed October 12, 2022**
 - **The Journey Begins Now - Emailed October 12, 2022**
 - **CIDQ Annual Report 2022 - Emailed October 26, 2022**

TO: ARPL Steering Committee
FROM: Marta Zaniewski
DATE: Monday, October 17
RE: 2022 Q3 Member Update

The report below details ARPL activities during Q3 2022. This update is intended for internal use by ARPL member organizations and is not for external distribution.

Please contact ARPL Executive Director Marta Zaniewski at Marta.Zaniewski@aicpa-cima.com with questions or for additional information.

EXECUTIVE SUMMARY

During Q3, ARPL injected its perspective on licensing where the decision makers are, leveraged pro-licensing lawmakers to drive key messages, and reached new audiences. ARPL presented before state lawmaker audiences, developed a pro-licensing op-ed signed by two state lawmakers, and facilitated a podcast interview to introduce the licensure debate – and arguments in defense of licensing – to an audience of construction businesses and contractors.

INJECTING THE ARPL PERSPECTIVE WHERE THE LEGISLATORS ARE

ARPL sponsored a panel titled, The Important (and Missing) Business Perspective About Professional Licensing, during the American Legislative Exchange Council's Annual Meeting in July. The panel educated lawmakers about the critical and often missing perspective of the businesses that are significantly affected by diluted licensing standards. The discussion covered the complexity of what's at stake for businesses and the importance of thinking comprehensively about the effects of professional licensing policy. The panel included Marta Zaniewski (AICPA) and David Widmer, licensing advocate, and owner of Widmer Engineering.

In October, ARPL was invited to testify before the Wisconsin legislature's study committee on licensing. James Cox (AICPA) delivered testimony on behalf of ARPL and made the case for licensing done right. The testimony included the wage benefits of licensing as proven in the Oxford Economics research, the public protections licensure provides, and proven mobility models that can and should be looked to and emulated. ARPL will continue to engage the committee and make itself available to help inform responsible licensing policy in Wisconsin.

LEVERAGING PRO-LICENSING LAWMAKERS TO DRIVE THE ARPL MESSAGE

In July, Illinois state representatives Rep. Amy Elik (R-IL-111) and Rep. Natalie Manley (D-IL-98) partnered with ARPL to develop an op-ed, "[The Case for Responsible Professional Licensing](#)." The editorial was especially impactful as it was signed by two state legislators – one Democrat, one Republican – who share common ground on the importance of responsible licensing. This perspective, published in *Governing.com*, sends a strong message to lawmakers in other states considering licensing reform: protecting your constituents by enacting responsible licensing policy is not a partisan issue.

To increase the reach and visibility of the op-ed, ARPL launched a digital advertising campaign on social media that ran in high-priority states, including Louisiana, Wisconsin, Montana, West Virginia, Washington, Utah, and Oklahoma. The four-week campaign flight garnered more than **3.3 million** impressions and nearly **7,000 clicks** to the op-ed on *Governing.com*.

ENGAGING NEW STAKEHOLDERS IN THE LICENSE DEBATE

NCARB CEO Michael Armstrong represented ARPL on the Art of Construction podcast. Listeners of the podcast are mostly operators of construction companies and contractors who are affected by licensure – but many are unaware of the threats licensure is facing. The interview, *Why Contractors Should Care About Licensing*, covered the basics of why licensing matters, the challenges licensure is facing, and how anti-licensing bills – if passed – would negatively affect the construction industry. The podcast is available on [ARPL's website](#).

In 2023, ARPL will focus on advancing similar activities that drive awareness of carelessness reform's negative impact on businesses.

KEY UPCOMING ACTIVITIES

ARPL will prioritize the following activities in Q4:

- Host a state partner webinar on November 29 to recap 2022 coalition successes and preview the 2023 legislative landscape
- Finalize an op-ed signed by AICPA and NCARB about the role of ethics in underpinning professional licensing (to coincide with Global Ethics Day on October 19)
- Connect with state partners to gauge support needs in the 2023 legislative sessions
- Provide questions to the Montana Chamber of Commerce to capture public support for responsible professional licensing
- Lay the groundwork for 2023 activities, such as scoping out research projects to help ARPL make a strong, data-informed case about the impacts of anti-licensing on businesses

➤ **Regulatory Update (handout)**

- **Regulatory Review
Committee Update**

- **Proposed Professional
Engineer Regulatory
Changes**
- **Project Supervision or
Responsible Charge
Resident**
- **Land Surveyors
Regulations**
- **Business Licenses**

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**Number of APELSCIDLA cases closed with no violations between January 1,
2022 – July 25, 2022**

3 = Compliance Obtained

9 = Insufficient Evidence

3 = Withdrawn/Incomplete

3 = Other

1 = No Law or Regulation

2 = No Jurisdiction

21 = TOTAL

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➤ Licensed and Certified Population

As of October 1, 2022

| | |
|---------------------------------|--------|
| APELSCIDLA Businesses | 4,806 |
| Architects | 7,682 |
| Professional Engineers | 30,458 |
| Land Surveyors | 1,223 |
| Land Surveyors B | 63 |
| Land Surveyor Photogrammetrists | 97 |
| Certified Interior Designers | 474 |
| Landscape Architects | 951 |

**Department of Professional and Occupational Regulation
Statement of Financial Activity**

**Board for APELSCIDLA
954160**

2022-2024 Biennium

September 2022

| | September 2022 Activity | Biennium-to-Date Comparison | |
|---|----------------------------|-------------------------------|-------------------------------|
| | | July 2020 - September 2020 | July 2022 - September 2022 |
| Cash/Revenue Balance Brought Forward | | | 184,558 |
| Revenues | 107,941 | 353,487 | 356,805 |
| Cumulative Revenues | | | 541,363 |
| Cost Categories: | | | |
| Board Expenditures | 5,005 | 36,387 | 36,634 |
| Board Administration | 57,244 | 182,453 | 201,997 |
| Administration of Exams | 1,541 | 10,684 | 5,135 |
| Enforcement | 6,313 | 16,299 | 21,621 |
| Legal Services | 0 | 1,055 | 0 |
| Information Systems | 28,768 | 118,434 | 89,442 |
| Facilities and Support Services | 12,553 | 46,079 | 38,038 |
| Agency Administration | 60,621 | 78,862 | 133,722 |
| Other / Transfers | 0 | - | 0 |
| Total Expenses | 172,044 | 490,252 | 526,587 |
| Transfer To/(From) Cash Reserves | 0 | 0 | (61,015) |
| Ending Cash/Revenue Balance | | | 75,791 |

| | | | |
|---------------------------------------|-----------|---|-----------|
| Cash Reserve Beginning Balance | 1,387,792 | 0 | 1,448,807 |
| Change in Cash Reserve | 0 | 0 | (61,015) |
| Ending Cash Reserve Balance | 1,387,792 | 0 | 1,387,792 |

Number of Regulants

| | |
|---------------------------|--------|
| Current Month | 45,754 |
| Previous Biennium-to-Date | 43,323 |

Department of Professional and Occupational Regulation
Supporting Statement of Year-to-Date Activity
Board for APELSCIDLA - 954160
Fiscal Year 2023

| | Jul | Aug | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Fiscal YTD Charges | Planned Annual Charges | Current Balance | Projected Charges at 6/30 | Projected Variance Favorable (Unfavorable) | |
|----------------------------------|----------------|----------------|----------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|--------------------|------------------------|------------------|---------------------------|--|--------------|
| | | | | | | | | | | | | | | | | | Amount | % |
| Board Expenditures | 23,671 | 7,958 | 5,005 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 36,634 | 180,726 | 144,093 | 135,653 | 45,073 | 24.9% |
| Board Administration | 86,026 | 58,727 | 57,244 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 201,997 | 900,479 | 698,482 | 665,479 | 235,001 | 26.1% |
| Administration of Exams | 2,126 | 1,468 | 1,541 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5,135 | 50,323 | 45,188 | 12,383 | 37,940 | 75.4% |
| Enforcement | 8,900 | 6,407 | 6,313 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 21,621 | 91,510 | 69,889 | 71,961 | 19,548 | 21.4% |
| Legal Services | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2,000 | 2,000 | 0 | 2,000 | 100.0% |
| Information Systems | 23,469 | 37,205 | 28,768 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 89,442 | 491,848 | 402,406 | 321,494 | 170,354 | 34.6% |
| Facilities / Support Svcs | 9,547 | 15,938 | 12,553 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 38,038 | 217,331 | 179,293 | 141,652 | 75,678 | 34.8% |
| Agency Administration | 42,847 | 30,254 | 60,621 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 133,722 | 520,676 | 386,954 | 468,734 | 51,942 | 10.0% |
| Other / Transfers | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Charges | 196,585 | 157,959 | 172,044 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 526,587 | 2,454,892 | 1,928,305 | 1,817,356 | 637,536 | 26.0% |

- **Election of Officers**
- **Approval of 2023 Meeting Dates**
 - **Wednesday, February 8, 2023**
 - **Tuesday, May 16, 2023**
 - **Wednesday, August 9, 2023**
 - **Wednesday, November 1, 2023**
- **Other Business**
- **Conflict of Interest Forms /Travel Vouchers**
- **Adjourn**

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