

**PROFESSIONAL ENGINEER & LAND SURVEYOR
SECTION MEETING**

MINUTES

The Professional Engineer and Land Surveyor Section of the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA Board) met on August 8, 2019, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

Doyle B. Allen (LS)
Vickie Anglin (LS)
James Kelly (PE)
Vinay Nair (PE)
Christopher M. Stone (PE)
Michael Zmuda (LS)

Staff present for all or part of the meeting were:

Kathleen (Kate) R. Nobsch, Executive Director
Bonnie Davis, Administrative Assistant

No representative was present from the Office of the Attorney General.

Members of the Public present for all or part of the meeting were:

Reed Adams, Virginia Department of Transportation (VDOT), Geospatial Program Manager
Location and Design
Tommy Barlow, LS, Louisa County Board of Supervisors
Georg Dahl, Virginia Society of Professional Engineers (VSPE) STEM and Educational
Outreach Lead for Tidewater/Hampton Roads Chapter
Susan Keen, Virginia Department of Transportation (VDOT), State Location and Design
Engineer
James Wells

Mr. Stone, Chair, called the meeting to order at 10:07 a.m.

Call to Order

Mr. Stone advised the Section members of the emergency evacuation procedures.

**Emergency
Evacuation
Procedures**

Mr. Kelly moved to approve the agenda. Ms. Anglin seconded the motion which was unanimously approved by members: Allen, Anglin, Kelly, Nair, Stone and Zmuda.

**Approval of
Agenda**

Mr. Barlow, licensed Land Surveyor and member of the Louisa County Board of Supervisors, discussed the Virginia General Assembly approved legislation regarding the Louisa and Goochland County line. He noted there may be parcel discrepancies and gaps and overlays when using the GIS to determine the boundary line.

**Public Comment
Period**

Review of File

James Wells, complainant, was present to address the Section. Regarding **File Number 2019-00264, Douglas Meredith, Jr.**, the Section members reviewed the record of the Informal Fact-Finding (IFF) Conference, which consisted of the investigation, transcripts, exhibits, and the Summary of the Informal Fact-Finding Conference as well as the recommendation of the presiding board member. Mr. Kelly recommended that the Section accept the Summary of the Informal Fact-Finding Conference which cites the following violations of the Board's regulations: 18VAC10-20-730.C (Count 1) and 18VAC10-20-760.D (Count 2).

File Number 2019-00264, Douglas Meredith, Jr.

Ms. Anglin stated there are a number of minor discrepancies not discussed in the IFF. These discrepancies are illustrative of the body of work. Mr. Kelly withdrew his motion. Ms. Anglin moved to accept the current violations and recommends the case be referred back to the Compliance and Investigation Division for further violations of 18VAC10-20-370. Mr. Nair seconded the motion which was unanimously approved by members: Anglin, Kelly, Nair, and Stone.

As the presiding Board member, Mr. Zmuda was not present for the discussion or vote. As technical review Board member, Mr. Allen was not present for the discussion or vote.

Ms. Nosbisch stated Ray Davenport, Secretary of the Virginia Apprenticeship Council, approved and signed the Virginia Surveyor Registered Apprenticeship Standards which have been posted on the APELSCIDLA website.

Virginia Surveyor Apprenticeship Standards Update

Ms. Anglin stated she reviewed the Fairfax County Public Schools (FCPS) Adult and Community Education (ACE) Land Surveyor Apprenticeship Program with the approved Virginia Surveyor Registered Apprenticeship Standards and there are discrepancies. She requested staff reach out to Fairfax County Public Schools Adult and Community Education and send the approved curriculum to them.

At the July 2nd Board meeting, a discussion took place on whether the letter should become a guidance document. The letter was placed on the agenda of the August 8, 2019 PE-LS Section meeting. It was noted the letter is not written as a guidance document; it is not an opinion. After noting the similarity of the Photogrammetry Guidance Document, the Section requested the item be placed on the agenda of the September 10, 2019 Board meeting for further discussion.

Drone Companies Selling Data for Design Purposes Letter

At the July 2, 2019 Board meeting, the Board voted to ask Virginia Department of Transportation (VDOT) to consider releasing an Internal Memorandum (IM) regarding § 33.1-105 Evidence as to Existence of a Public Highway. Mr. Adams stated VDOT incorporated the document prepared by the Land Surveyor Section into VDOT's survey manual. Mr. Stone thanked VDOT for their collaboration. Mr. Allen requested the item be placed on the agenda of the September 10, 2019 Board meeting for Board endorsement.

Right of Entry, Property, Prescriptive Right of Easements, & Metes and Bounds Update

The Section recessed from 11:23 a.m. until 11:32 a.m.

Recess

A discussion took place on changing from section chairs, who only chair every other meeting, to one chair who will conduct the combined section meetings all year, and rotating the chair through the sections each year. The Sections agreed by consensus to elect a section chair who will chair for an entire fiscal year, and each year the section chair will rotate through the two professions.

Election of Section Chairs

Ms. Nosbisch opened the floor for nominations for section chair. Mr. Stone moved to nominate Mr. Kelly as section chair. Ms. Anglin seconded the motion. Mr. Kelly accepted the nomination. Ms. Nosbisch asked if there were any additional nominations for section chair. There being none, Ms. Nosbisch closed the floor for nominations. Mr. Stone moved to approve the nomination of Mr. Kelly as section chair. The Sections unanimously approved by: Allen, Anglin, Kelly, Nair, Stone and Zmuda. By acclamation, Mr. Kelly was named section chair.

Other Business

Ms. Keen stated she and the Department of Environmental Quality (DEQ) has been discussing the signing and sealing of Best Management Practices (BMP) as-built plans in regards to the certification language that was discussed in 2018 when the PE-LS Sections met with VDOT. Ms. Keen stated DEQ is updating their Administrative Code and this is an opportunity for discussion between the Board and DEQ to resolve the language that will meet the Board's requirements. The Section requested the item be placed on the agenda of the September 10, 2019 Board meeting for further discussion. DEQ and Ms. Keen have been invited to attend the meeting.

Signing & Sealing of BMP As-Built Plans Language

Mr. Barlow spoke earlier during Public Comment regarding this item. He asked the Section when performing boundary surveys on the Louisa and Goochland County line, should the land surveyor follow the GIS coordinates or adhere to parcel lines. Mr. Allen stated according to the APELSCIDLA regulations, on normal boundary surveys, the land surveyor would have to show both the coordinate points and parcel lines. Mr. Allen stated he will draft a letter to Mr. Barlow. The Section requested the item be placed on the agenda of the September 10, 2019 Board meeting for further review.

National Geodetic Survey Standards

The Sections discussed the reinstatement process.

Reinstatements

The Sections discussed what qualifies for construction experience and what does not. The Professional Engineers requested a separate meeting to discuss guidelines of what is progressive experience and to develop a procedure for use during application review.

Construction Experience

The discussion of unsolicited emails from unlicensed engineers offering engineering services has been discussed at various Board and Section meetings. Mr. Stone stated he received another unsolicited email, and therefore, filed a complaint with DPOR. He noted in the *Code of Virginia* § 54.1-406.B License required. Unless exempted by § 54.1-402, any person, partnership, corporation or other entity offering to practice architecture, engineering, or land surveying without being registered or licensed in accordance with the provisions of this chapter, shall be subject to the provisions of § 54.1-111 of this title. He will provide an update on the complaint process at the next meeting.

The Section recessed from 1:24 p.m. until 1:29 p.m.

Chair of the meeting was passed from Mr. Stone to Mr. Kelly.

Mr. Stone and Mr. Nair left the meeting at 1:43 p.m.

MOTIONS TO BE PRESENTED AT THE 2019 ANNUAL MEETING

Per *Bylaws* 6.01 Annual Business Meetings, the NCEES board of directors has prepared a consent agenda for the August 2019 annual meeting.

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

Committee on Finances (5 motions)

Finance Motion 1

Move that the adoption of the 2019–20 operating 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

The Section does support the motion.

Finance Motion 2

Move that the adoption of the 2019–20 capital budget as shown in **Appendix C** be postponed to the end of the last business session in order to take into account

Response
Template for
Preferred
Engineering
Services
Subcontractor/
Partner Emails

Recess and
Departure of
Board Members

NCEES Updates

NCEES
Resolution Review

any subsequent actions adopted by the Council that may affect this budget.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

Finance Motion 3

Move that Financial Policy 1C be amended as follows:

FP 1 Council Funds

- A. NCEES shall maintain operating accounts and operating reserve accounts with account balances in the aggregate sufficient to manage the day-to-day financial obligations of the Council.
- B. NCEES shall maintain long-term and short-term investments in accordance with the investment guidelines reviewed and approved at least annually by the board of directors.
- C. The reserve funds (current tangible assets plus tangible marketable long-term investments minus current liabilities) should be accumulated to and maintained at a minimum amount of 100 percent of the annual operating budget plus a designated reserve equal to the computed cost of a total exam breach based on the current approved item replacement costs. Reserve funds over the breach costs and operating costs may be designated by the board of directors for other NCEES capital projects. If the reserve funds fall below this level, the Council shall strive to correct the situation.
- D. The NCEES board of directors shall have the authority to contribute a maximum of \$500,000 annually for funding of nonprofit organizations. A full Council vote is required to approve contributions above that amount.

Rationale

The committee feels that capital projects that require a large amount of funds may be identified and approved by the board of directors. Designated reserves by the board of directors for a capital project identifies the amount of funds needed and the purpose of the funds. Board-designated funds are displayed on NCEES' balance sheet.

Board of directors' position

Endorses, consent agenda

The Section does not support the motion.

Finance Motion 4

Move that Financial Policy 3D and 3E be added as follows:

FP 3 Travel Expenses

NCEES shall budget for and pay travel expenses for NCEES-funded meeting attendees as described below. NCEES shall also waive the registration fee for NCEES-funded attendees to the annual meeting and zone interim meetings but shall not pay the cost of optional functions that are not included in the

registration fee. All authorized travel and reimbursements shall be in accordance with the NCEES travel policy. Unbudgeted international travel shall require authorization by the board of directors.

A. Meetings representing NCEES

1. Members of the board of directors, committee members, and consultants as authorized by the president. The president and the president-elect have the discretion to purchase business class airfares for trips greater than or equal to 5 hours of total in-air flying time each way to mitigate the stress of frequent travel. If no business class is available, first class may be considered.
2. Council staff as approved by the CEO

B. NCEES annual business meetings

1. Members of the current NCEES board of directors, incoming vice presidents, nominees for the incoming NCEES president-elect and treasurer positions, and past presidents. Registration fees shall be waived for a guest of each.
2. A minimum of three funded delegates from each member board as specified by the member board. Member boards must meet the *Bylaws* requirements for voting to receive the benefits of funded delegates.
3. Member board members who are attending their first annual meeting and who have been appointed to their board within 24 months before the annual meeting
4. The designated member board administrator (MBA) of each member board. When an MBA represents more than one board, the funding shall be for the designated MBA only and not for the assistant MBA or for member board staff. Member boards must meet the *Bylaws* requirements for voting to receive the benefits of a funded MBA.
5. Chairs of NCEES standing committees and task forces
6. NCEES service award recipients. Registration fees shall be waived for a guest of each.

C. Zone interim meetings

1. Members of the current NCEES board of directors and NCEES past presidents
2. A minimum of three funded delegates from each member board as specified by the respective member board. The delegates must be members of the member board or associate members. Boards must meet the *Bylaws* requirements for voting to receive the benefits of funded delegates.
3. The designated MBA of each member board. When an MBA represents more than one board, the funding shall be for the designated MBA only and not for the assistant MBA or for member board staff. Member boards must meet the *Bylaws* requirements for voting to receive the benefits of a funded MBA.

D. Board Presidents' Assembly

1. Members of the current NCEES board of directors
2. Each member board president or his or her designated board member representative

3. The designated MBA of each member board. When an MBA represents more than one board, the funding shall be for the designated MBA only and not for the assistant MBA or for member board staff.

E. Approved MBA meetings

1. Members of the current NCEES board of directors as authorized by the president
2. The designated MBA of each member board. When an MBA represents more than one board, the funding shall be for the designated MBA only and not for the assistant MBA or for member board staff.

Rationale

The Council has historically funded each board president or his or her designated representative and each MBA to the biennial Board Presidents' Assembly and has funded each MBA to approved MBA meetings. The committee is moving to add this language to FP 3 to reflect the current NCEES funding for these meetings.

Note: Before proposing the changes shown above, the Finance Committee reorganized FP 3, Travel Expenses, to eliminate wordiness and redundancy. Because these were not substantive changes, the committee did not present the reorganization in a motion. The original FP 3 is included in this report's appendix for reference and to describe why and how the policy was reorganized.

Board of directors' position

Endorses, consent agenda
The Section does support the motion.

Finance Motion 5

Move that Financial Policy 3 be amended as follows, Financial Policy 4 be deleted, and the remaining financial policies be renumbered accordingly.

FP 3 Travel Expenses

NCEES shall budget for and pay travel expenses for NCEES-funded meeting attendees as described below. NCEES shall also waive the registration fee for NCEES-funded attendees to the annual meeting and zone interim meetings but shall not pay the cost of optional functions that are not included in the registration fee. All authorized travel and reimbursements shall be in accordance with the NCEES travel policy. Unbudgeted international travel shall require authorization by the board of directors.

- A. Meetings representing NCEES
 1. Members of the board of directors, committee members, and consultants as authorized by the president. The president and the president-elect have the discretion to purchase business class airfares for trips greater than or equal to 5 hours of total in-air flying time each way to mitigate the stress of frequent travel. If no business class is available, first class may be considered.

2. Council staff as approved by the CEO
- B. NCEES annual business meetings
 1. Members of the current NCEES board of directors, incoming vice presidents, nominees for the incoming NCEES president-elect and treasurer positions, and past presidents. Registration fees shall be waived for a guest of each.
 2. A minimum of three funded delegates from each member board as specified by the member board. Member boards must meet the *Bylaws* requirements for voting to receive the benefits of funded delegates.
 3. Member board members who are attending their first annual meeting and who have been appointed to their board within 24 months before the annual meeting
 4. The designated member board administrator (MBA) of each member board. When an MBA represents more than one board, the funding shall be for the designated MBA only and not for the assistant MBA or for member board staff. Member boards must meet the *Bylaws* requirements for voting to receive the benefits of a funded MBA.
 5. Chairs of NCEES standing committees and task forces
 6. NCEES service award recipients. Registration fees shall be waived for a guest of each.
 7. Zone assistant vice presidents and zone secretary-treasurers
- C. Zone interim meetings
 1. Members of the current NCEES board of directors and NCEES past presidents
 2. Zone assistant vice presidents and zone secretary-treasurers to their respective zone meeting
 23. A minimum of three funded delegates from each member board as specified by the respective member board. The delegates must be members of the member board or associate members. Boards must meet the *Bylaws* requirements for voting to receive the benefits of funded delegates.
 34. The designated MBA of each member board. When an MBA represents more than one board, the funding shall be for the designated MBA only and not for the assistant MBA or for member board staff. Member boards must meet the *Bylaws* requirements for voting to receive the benefits of a funded MBA.
 5. Zone service award recipients to their respective zone meeting

FP 4 Zone Contribution

~~Each zone shall be granted an equal sum of money each year from the funds of the Council for attendance of up to 75 members. This sum is to be used for zone expenses, zone meetings, and expenses of the zone vice president, assistant vice president, and secretary-treasurer to the zone interim meeting. The amount of the grant will be determined by the board of directors. Additional funding by the Council for attendance above 75 members shall be granted to the respective zone at \$200 per member.~~

~~Zone operations conducted under the Council's federal tax identification number shall be considered part of the Council activities and will be administered and monitored by the chief executive officer in conjunction with zone officers.~~

Rationale

The committee discussed that preparing and planning zone interim meeting budgets require a significant amount of work. If this motion passes, Council staff, working with the zone officers and host boards, would prepare the zone interim meeting budgets that would become part of the Council's operating budget that is approved at the annual meeting. The zone interim meeting revenue and expenses would be reported in the income statement as opposed to flowing through the zone's reserves. FP 4, Zone Contribution, would not be needed if the method of preparing zone interim meeting budgets is changed, so the committee is also proposing to eliminate FP 4.

In addition, because funding zone officers and zone service award winners would no longer be addressed in the *Zone Meeting and Continuity Guidelines*, the committee is proposing to add language to FP 3 to include them in the funding.

Note: Before proposing the changes shown above, the Finance Committee reorganized FP 3, Travel Expenses, to eliminate wordiness and redundancy. Because these were not substantive changes, the committee did not present the reorganization in a motion. The original FP 3 is included in this report's appendix for reference and to describe why and how the policy was reorganized.

Financial impact

The estimated reduction in annual meeting registration fee revenue is \$7,800, and the estimated annual meeting costs are \$25,468. The total estimated negative operation impact is \$33,268.

Board of directors' position

Endorses, consent agenda
The Section does support the motion.

Committee on Awards (1 motion)

Awards Motion 1

Move that Administrative Policy 12 be amended as follows:

AP 12 Awards

NCEES will officially recognize members, associate members, emeritus members, and other volunteers who provide or have provided outstanding service to NCEES. The members of the Committee on Awards and the board of directors shall not be nominated for these awards while serving on the Committee on Awards or on the board of directors. In evaluating nominations, the following guidelines are to be observed:

Distinguished Service Award

- Must be a current member, a former member, or an emeritus member

- Must promote engineering or surveying licensure at the state or national level
- Must demonstrate positive contributions to the advancement of the engineering or surveying profession and the mission and vision of NCEES
- May include participation in professional or technical societies as a consideration
- Must demonstrate active participation in member board activities
- Must include distinguished service on at least one NCEES committee
- May be nominated by a member board

Distinguished Service Award with Special Commendation

- Must have received the Distinguished Service Award at least six years prior to receiving the Distinguished Service Award with Special Commendation. Any exception based on extraordinary circumstances must be approved by the NCEES board of directors with recommendation by the Committee on Awards.
- Must demonstrate service prior to and after receiving Distinguished Service Award
- Must be a current member, a former member, or an emeritus member
- Must promote engineering or surveying licensure at the national level
- Must demonstrate positive contributions to the advancement of the engineering or surveying profession and the mission and vision of NCEES
- May include participation in professional or technical societies as a consideration
- Must demonstrate active participation in member board activities
- Must include leadership or exemplary service on at least one NCEES committee
- May be nominated by a member board

Meritorious Service Award

- Must be a current or former associate member
- Must demonstrate positive contributions to the advancement of the engineering or surveying profession and the mission, vision, and goals of his or her board and NCEES
- Must participate in member board activities
- Must participate in the promotion of licensure or the enforcement of member board laws and rules
- Must include distinguished service on at least one NCEES committee
- May be nominated by a member board

Distinguished Examination Service Award

- Must demonstrate positive contributions and longtime commitment to the NCEES examination program
- Must have served on at least one of the Council's examination committees or exam-related task forces

- Must demonstrate exemplary service and leadership in the advancement and improvement of NCEES examinations and the exam-development process
- May be nominated by a member board, an exam committee, or the board of directors

Rationale

The committee is proposing this change to ensure that the person receiving the Distinguished Service Award with Special Commendation has continued to be active and demonstrated service after receiving the Distinguished Service Award.

Board of directors' position

Endorses, consent agenda
The Section does support the motion.

Special Committee on Bylaws (9 motions)

Bylaws Motion 1

Move that *Bylaws* 5.01 be amended as follows:

~~**Section 5.01 President.** The President shall, when present, preside at all meetings and shall present to the Council at the Annual Business Meeting a report of the activities during the term of office. The President shall appoint all members, chairs, vice chairs, and consultants of standing committees, special committees, and task forces unless specific action of the Council or of the Board of Directors names the personnel of the committee or task force. The President shall also appoint all members of a Tellers Committee for the election of the President-Elect and Treasurer. The President shall appoint all official representatives of the Council to other organizations as authorized by the Board of Directors. The President shall be chair of the Board of Directors, shall be an ex-officio member of all committees, and shall perform all other duties ordinarily pertaining to the office of President.~~

~~If both the President and the President-Elect are absent, the Vice President from the zone that will be nominating the next President-Elect will be the acting President. The Vice President shall have all the powers of the President while presiding in this capacity.~~

Section 5.01 President. The President shall be the chair of the Board of Directors and shall preside over all meetings of the Board as well as the Annual Business Meeting of the Council. The President shall be an ex-officio member of all committees and task forces of the Council. The President shall perform all other duties ordinarily pertaining to the office of President. The President shall prepare and present to the Council at the Annual Business Meeting a report of the President's activities during the term of office.

The President shall appoint all members, chairs, vice chairs, and consultants of the standing committees as defined in Article 7 of the *Bylaws*. The President

shall also appoint all members, chairs, vice chairs, and consultants of special committees and task forces unless specific action of the Council or of the Board of Directors names the personnel of the committee or task force. The President shall also appoint one member of the Board of Directors to serve as board liaison to each standing committee, special committee, and task force. The President shall appoint all official representatives of the Council to any other organizations. If needed during the annual meeting, the President shall appoint a Tellers Committee for the election of the President- Elect and/or Treasurer.

If the President is absent, the President-Elect will serve as the acting President in accordance with *Bylaws* 5.02. If both the President and the President-Elect are absent, the Vice President from the zone that will be nominating the next President-Elect will serve as the acting President. The acting President shall have all powers of the President while presiding in this capacity.

Rationale

Motion 1 is proposed in response to the approved 2018 ACCA motion to propose an amendment to the description of the president's role. The ACCA rationale for the change was as follows: "ACCA feels that the proposed amendment will reduce ambiguities and better organize the responsibilities of the president. This proposed language places all of the presiding and reporting responsibilities in the first paragraph and all of the appointing responsibilities in the second paragraph. The responsibility to appoint board liaisons to committees and task forces has been clarified. The third paragraph is a proposed revision of the current second paragraph and addresses the matter of absence of the president as well as the absence of the president-elect in relationship to the need for a temporary acting president. The requirement of having authorization of the board of directors prior to appointing official representatives of the Council to any other organizations is being deleted. As has been the practice in the past, the president has the discretion to make such appointments."

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

Bylaws Motion 2

Move that *Bylaws* 7.01 be amended as follows:

7.01 Standing Committees. The standing committees of the Council shall be the following: Advisory Committee on Council Activities (ACCA), Awards, Education, Examination Audit, Examinations for Professional Engineers (EPE), Examinations for Professional Surveyors (EPS), Examination Policy and Procedures (EPP), Finances, Law Enforcement, Member Board Administrators (MBA), and Uniform Procedures and Legislative Guidelines (UPLG).

The structure and membership of all standing committees shall be commensurate with the charges unless otherwise provided for in the *Bylaws*. The composition of the committees should reflect the diversity of the Council membership.

A committee member may be appointed to serve on only one standing committee during any administrative year.

Appointments shall limit the tenure on any one committee to a maximum of four consecutive years, including any time as chair, except that (1) an individual may serve for three years as an EPS Committee member, two additional years as the EPS Committee vice chair, and two additional years as the EPS Committee chair; and (2) an individual may serve for three years as an EPE Committee member, two additional years as the EPE Committee vice chair, and two additional years as the EPE Committee chair. The chairs of the EPE and EPS Committee shall have had experience in developing NCEES examinations before assuming the position of chair. This experience is defined as involvement in at least two of the following activities: item writing or review, participation on a cut score panel, involvement in a Professional Activities and Knowledge Study (PAKS) committee or on examination specification committees, or participation on an examination development committee. The ascension track to the chair shall also include psychometric training approved by NCEES.

A committee chair appointment shall be limited in tenure to a maximum of two consecutive years on any one committee.

Members, associate members, past presidents, and emeritus members shall be eligible to serve on any committee or task force. Committee members may continue to serve until the conclusion of the term of office to which they were appointed even if their terms with Member Boards have ended.

Rationale

Motion 2 is proposed in response to the approved 2018 ACCA motion to propose an amendment that clarifies who is allowed to serve on standing committees and task forces. The ACCA rationale for the change was as follows: “*Bylaws* 3.07, Past Presidents, states that past presidents are eligible to serve on committees of the Council. However, *Bylaws* 7.01, Standing Committees, does not specifically mention past presidents. This motion is simply to clarify the current process.”

Board of directors’ position

Endorses, consent agenda
The Section does not support the motion.

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 members from each zone. At least one member shall be a professional engineer, one member a professional surveyor, 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 ~~to the Board of Directors for review and forwarding to the Council for ratification at the Annual Business Meeting as~~ needed.

Rationale

Motion 3 is proposed in response to the approved 2018 ACCA motion to propose an amendment to the description of ACCA. The ACCA rationale for the change was as follows: "ACCA is proposing changes in the first paragraph because the current language does not require that any professional engineers or member board administrators be on ACCA. The proposed language will correct this missing language by requiring at least one professional engineer, one professional surveyor, and one member board administrator to be on the committee. It is proposing changes to the second paragraph to match current practice, which is that motions are presented as needed and then voted upon, but not ratified."

Board of directors' position

Endorses, consent agenda
The Section does support the motion.

Bylaws Motion 4

Move that *Bylaws* 7.03 be amended as follows:

Section 7.03 Committee on Awards. The Committee on Awards shall have one member from each zone plus the chair. When available, these members should be past members of the Board of Directors who have received the Distinguished Service Award of NCEES. It shall, by October 1 of each year, canvass the Member Boards for nominations for the awards to be given at the Annual Business Meeting, including the Distinguished Service Award. It shall be guided by the established policies and procedures for the awards. Nominations shall be submitted by entities as defined in Council policy by January 31 of the next year.

The committee shall complete its recommendations and submit its report to

the Board of Directors by April 1. The Board of Directors shall review the report and approve individuals to receive awards.

Rationale

Motion 4 is proposed in response to the approved 2018 Awards Committee motion to propose an amendment that clarifies the process of designating award recipients. The Awards Committee rationale for the change was as follows: “The committee is proposing these changes to make the *Bylaws* consistent with current practice.”

Board of directors’ position

Endorses, consent agenda
The Section does support the motion.

Bylaws Motion 5

Move that *Bylaws* 7.07 be amended as follows:

Section 7.07 Committee on Examinations for Professional Surveyors. The Committee on Examinations for Professional Surveyors (EPS) shall consist of a chair and three members from each zone. ~~†~~All members shall be professional surveyors. EPS shall supervise the preparation of examination specifications and be responsible for the content and scoring of all examinations in the fundamentals and principles and practice of surveying.

The committee, in the interest of uniformity and efficiency, ~~may~~shall prepare examination development procedures and shall review examination scores and make recommendations of minimum passing grades for examinations.

At least 50 percent of the committee members should be carryover members to provide continuity of the program.

This committee shall have the authority to recommend, in connection with its work, the appointment of consultants.

Rationale

Motion 5 is proposed in response to the approved 2018 EPS Committee motion to propose an amendment to the description of the EPS Committee. The EPS Committee rationale for the change was as follows: “EPS is proposing the amendment in the first paragraph to eliminate the possibility of having EPS Committee members who lack the specialized knowledge required for development of the surveying exams. It is also changing ‘may’ to ‘shall’ as a housekeeping change for consistency.”

Board of directors’ position

Endorses, consent agenda
The Section does support the motion.

Bylaws Motion 6

Move that *Bylaws* 7.08 be amended as follows:

Section 7.08 Committee on Examination Policy and Procedures. The Committee on Examination Policy and Procedures (EPP) shall consist of a chair, ~~and two members selected from each zone, and the chairs of the Committee on Examinations for Professional Engineers and Examinations for Professional Surveyors (or their representatives) as consultants.~~ In addition, the President may appoint as consultants ~~the chairs of the Committees on Examinations for Professional Engineers and Examinations for Professional Surveyors and their subcommittees~~ other consultants as deemed necessary, including a member board administrator.

This committee shall be responsible for reviewing the effectiveness of the examinations and recommending policies, specifications, and procedures consistent with the trends in the engineering and surveying professions.

Rationale

Motion 6 is proposed in response to the approved 2018 EPP Committee motion to propose an amendment to the description of the EPP Committee. The EPP Committee rationale for the change was as follows: “The president consistently invites the chairs of the EPE and EPS committees as consultants. Adding ‘their representatives’ gives the option for the chair to have a respective committee member represent the committee if the chair is unable to attend. The EPP Committee also feels that having an MBA member as a consultant is beneficial, especially when policy changes are proposed. MBAs provide an administrative perspective on how policy changes may affect their boards.”

Board of directors’ position

Endorses, consent agenda
The Section does support the motion.

Bylaws Motion 7

Move that *Bylaws* 7.10 be amended as follows:

Section 7.10 Committee on Law Enforcement. The Committee on Law Enforcement shall consist of a chair and members from each zone. At least one member shall be a surveyor. The committee shall receive comments and suggestions from Member Boards regarding state board regulatory functions and submit recommendations for action to the Board of Directors. The committee will consider and recommend methods for Member Boards to achieve more effective and uniform enforcement of licensing acts and for greater interstate coordination of enforcement actions, including better utilization of available technologies. The committee is responsible for periodically updating the *Investigation and Enforcement Guidelines* to assist Member Boards in investigative techniques, ~~formal~~ hearing procedures, and ~~informal~~ settlements.

Rationale

Motion 7 is proposed in response to the approved 2018 Law Enforcement Committee motion to propose an amendment to the description of the Law Enforcement Committee. The Law Enforcement Committee rationale for the change was as follows: "The committee is proposing these changes to eliminate unnecessary words that could potentially cause misunderstanding."

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

Bylaws Motion 8

Move that *Bylaws* 7.11 be amended as follows:

Section 7.11 Committee on Member Board Administrators. The Committee on Member Board Administrators shall consist of a chair, who shall be a member board administrator; and at least two members member board administrators from each zone. ~~Two members shall be; and two current~~ members or emeritus members of Member Boards. The committee shall arrange for the conference of administrators at the Annual Meeting and Interim Meetings of the NCEES zones. Throughout the year, the committee shall strive to provide close cooperation between administrators and to facilitate and assist any efforts by the Member Boards in addressing licensure processes and practices.

Rationale

Motion 8 is proposed in response to the approved 2018 MBA Committee motion to propose an amendment to the description of the MBA Committee. The MBA Committee rationale for the change was as follows: "The MBA Committee is proposing this change to clarify the purpose of MBAs within the committee, maintain zone diversity, and recognize the desire/need to consider the perspective of the MBA role as viewed by board members."

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

Bylaws Motion 9

Move that *Bylaws* 10.01 be amended as follows:

Section 10.01 Fees. ~~Annual fees of Member Boards are due on January 1 for the ensuing calendar year. Member Board annual membership fees are due 30 days within receipt of an invoice from NCEES. The fee schedule for Member Boards shall be based on the number of licensees of record as of December 31 of the preceding calendar year.~~

Rationale

Motion 9 is proposed as a result of the Bylaws Committee general review. The dates of January 1 and December 31 do not match current practice. Invoices for

dues are usually sent in January. After consulting with the NCEES CFO, the committee proposes changing the language to require payment 30 days after the invoice is received. As far as the number of licensees on record, current practice is for the numbers to be due at the beginning of December, so the committee is proposing to say "December" only rather than give an exact date.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

Committee on Education (4 motions)

Education Motion 1

Move that the UPLG Committee be charged with incorporating the following language into *Model Law* 130.10 B and *Model Rules* 230.10 A and to further make modifications throughout the *Model Law* and *Model Rules* to include the general premise that an ETAC/ABET degree that has been vetted against the most recent NCEES *Engineering Education Standard* (revised July 2019) is allowed to satisfy the education requirements for engineering licensure.

130.10 General Requirements for Licensure

B. Engineering

1. Certification or Enrollment as an Engineer Intern
The following shall be considered as minimum evidence that the applicant is qualified for certification as an engineer intern.
 - a. Graduating from an engineering program of four years or more accredited by the Engineering Accreditation Commission of ABET (EAC/ABET), graduating from an engineering master's program accredited by EAC/ABET, graduating from an engineering technology program of four years or more accredited by the Engineering Technology Accreditation Commission of ABET (ETAC/ABET) and meeting the requirements of the NCEES *Engineering Education Standard*, or graduating from a non-accredited engineering program and meeting the requirements of the NCEES *Engineering Education Standard*
 - b. Passing the NCEES Fundamentals of Engineering (FE) examination
2. Licensure as a Professional Engineer
 - a. Initial Licensure as a Professional Engineer
An applicant who presents evidence of meeting the applicable education, examination, and experience requirements as described below shall be eligible for licensure as a professional engineer.
 - (1) Education Requirements
An individual seeking licensure as a professional engineer shall possess one or more of the following education qualifications:
 - (a) A degree in engineering from an EAC/ABET-accredited bachelor's program
 - (b) A degree in engineering from an EAC/ABET-accredited master's program
 - (c) A degree in engineering technology from an ETAC/ABET-accredited bachelor's program shown to

meet the NCEES *Engineering Education Standard*
(ed) A bachelor's, master's, or doctoral degree in engineering from a non-EAC/ABET-accredited program. This individual's education must be shown to meet the NCEES *Engineering Education Standard*.

(2) Examination Requirements

An individual seeking licensure as a professional engineer shall take and pass the NCEES Fundamentals of Engineering (FE) examination and the NCEES Principles and Practice of Engineering (PE) examination as described below.

(a) The FE examination may be taken by a college senior or graduate of an engineering program of four years or more accredited by EAC/ABET, of an engineering technology program of four years or more accredited by ETAC/ABET and meeting the requirements of the NCEES *Engineering Education Standard*, of a program that meets the requirements of the NCEES *Engineering Education Standard*, or of an engineering master's program accredited by EAC/ABET.

(b) The PE examination may be taken by an engineer intern.

(3) Experience Requirements

An individual seeking licensure as a professional engineer shall present evidence of a specific record of four years of progressive engineering experience after a qualifying degree is conferred as described in a(1)(a), a(1)(b), or a(1)(d) above or evidence of a specific record of six years of progressive engineering experience after a qualifying degree is conferred as described in a(1)(c). This experience should be of a grade and character that indicate to the board that the applicant may be competent to practice engineering. The following educational criteria may apply as a substitute to the length of experience set forth above:

(a) An individual with a master's degree in engineering acceptable to the board: three years of experience after the qualifying bachelor's degree is conferred as described in a(1)(a) ~~or~~, a(1)(c), or a(1)(d) above

(b) An individual with an earned doctoral degree in engineering acceptable to the board and who has passed the FE exam: two years of experience

(c) An individual with an earned doctoral degree in engineering acceptable to the board and who has elected not to take the FE exam: four years of experience

A graduate degree that is used to satisfy education requirements cannot be applied for experience credit toward licensure. To be eligible for experience credit, graduate degrees shall be relevant to the applicant's area of professional practice.

Experience credit for a graduate degree cannot be earned concurrently with work experience credit.

230.10 Education Requirements Approved by the Board

A. Engineering Program

The term “an engineering program of four years or more” used in Section 130.10 B.1.a of the NCEES *Model Law* is interpreted by this board to mean the following:

1. A degree from a bachelor’s or master’s engineering program accredited by the Engineering Accreditation Commission of ABET (EAC/ABET) at the time of the awarding of the degree. The board may accept the degree if accreditation is received within *[insert the prescribed time]*.
2. A degree from an engineering program not accredited by EAC/ABET but that meets the requirements of the NCEES *Engineering Education Standard*
3. A bachelor’s degree from an engineering technology program accredited by ETAC/ABET that meets the requirements of the NCEES *Engineering Education Standard*

Rationale

Current ETAC/ABET and EAC/ABET criteria require similar student outcomes for their bachelor’s degree programs. ETAC/ABET criteria value professional registration of its faculty. These faculty teach technical courses that have a theoretical foundation that is focused on application and the practice of engineering. Because of more program-specific flexibility, ETAC/ABET programs often have a greater number of required technical courses, particularly lab-based courses, and fewer high-level calculus courses than traditional engineering programs. After much discussion and debate, the committee agreed that an ETAC/ABET degree that also meets the NCEES *Engineering Education Standard* should be included as a pathway to engineering licensure. While this modification to the *Model Law* would allow a pathway for four-year engineering technology graduates to obtain licensure, the committee is not recommending revisions to Professional Policy 5, NCEES Model Law Designations, which dictates who is given Model Law Engineer status by the NCEES Records Program.

The consensus of the committee is that this change would provide a pathway to licensure for capable individuals who were performing engineering work and had graduated from a four-year engineering technology program. Creating a pathway to licensure for graduates from bachelor’s ETAC/ABET-accredited programs would increase the number of professional engineers coming into the profession. Bringing this group into the engineering profession would also help ensure that the health, safety, and welfare of the public is being protected.

Board of directors’ position and rationale

Does not endorse, non-consent agenda. The board of directors does not endorse

this motion for a variety of reasons. In discussing the changes, some members of the board of directors did not agree with the entire concept of allowing ETAC/ABET degrees to qualify for initial licensure; others were okay with the changes except for the requirement for ETAC/ABET degrees also having to meet the requirements of the NCEES *Engineering Education Standard*; and others agreed with the proposed amendments as shown above. Because the board of directors did not come to a consensus, it decided that it should not endorse the motion.

The Section will decide whether or not to support the motion at the meeting.

Education Motion 2

Move that Position Statement 15 be amended as follows:

PS 15 FE Examination as an Outcomes Assessment Tool

- A. Engineering programs should strongly consider using the FE exam topic-level performance data as part of their program assessment, with proper regard for the caveats described.*
- B. Programs that will gain the most from using the FE exam as an assessment tool are those programs in which all students are required to take the FE exam, all students are required to take the discipline-specific exam, the faculty establish specific goals for their program, and comparisons are made with peer institutions that have similar requirements.
- C. Member boards (~~state boards~~) should become proactive in working with academic programs to stress the use and value of the FE exam as an assessment tool.
- D. Institutions must remember that the primary purpose of the FE is to assess minimal technical competencies. Other assessment tools need to be used to assess higher-level theories or critical thought that might be the focus of some portion of their program.
- E. The results of each FE exam should be sent directly to institutions for their use.

*Refer to: *Using the Fundamentals of Engineering (FE) Examination to Assess Academic Programs as an Outcomes Assessment Tool*, National Council of Examiners for Engineering and Surveying, March ~~2014~~2019.

Rationale

The committee reviewed PS 15 and discussed if it conforms with current practice. The committee feels that the term “state boards” should be removed from Section C since the term “member boards” is intended to define all member boards. Removing this term from the document does not cause ambiguity in the description. The other proposed change is a housekeeping one to update the current title and publication date.

Board of directors’ position

Endorses, consent agenda
The Section does support the motion.

Education Motion 3

Move that the UPLG Committee be charged with incorporating the following language into *Model Rules*

240.30 C and E:

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 self-study, independent study, or group study and through synchronous or asynchronous delivery methods such as live, correspondence, archival, or the Internet~~
2. Successful completion of short courses, tutorials, webinars, and distance-education courses offered for self-study, independent study, or group study. The method of delivery can be through
 - 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
7. Patents
8. Active participation in educational outreach activities pertaining to professional licensure or the surveying/engineering professions that involve K-12 or higher education students

E. Determination of Credit

The board has final authority with respect to approval of courses, credit, PDH value for courses, and other methods of earning credit.

1. Credit for college or community college approved courses will be based upon course credit established by the college.
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 D6 and D8 is the responsibility of the licensee (subject to review as required by the board).
4. Credit for activity in subsection D7, 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.
5. No more than half of the total required hours in any renewal

- period may be obtained through C2b activities.
6. No more than 8 PDHs may be obtained during a 24-hour period.

Rationale

The committee discussed this charge at length and, based on the assortment of courses being offered today, agreed that there needs to be a better definition as to how courses are presented. In addressing the charge, the committee feels that the *Model Rules* needs to spell out the differences between web-based live, web-based pre-recorded, and live face-to-face seminars in the Qualifying Activities section. Because of the increase in the number of courses being offered by a variety of different media, the committee is also proposing that licensees be held to obtaining only 8 PDHs in a 24-hour period.

Board of directors' position

Endorses, consent agenda
The Section does support the motion.

Education Motion 4

Move that the UPLG Committee be charged with incorporating the following language into *Model Rules*

240.30 B:

240.30 Continuing Professional Competency

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

A. Introduction

Every licensee shall meet the continuing professional competency requirements of these regulations for professional development as a condition for licensure renewal.

B. Definitions

Terms used in this section are defined as follows:

1. Professional Development Hour (PDH)—One contact hour (nominal) of instruction or presentation. The PDH is the common denominator for other units of credit.
 - a. The term "contact hour" will be defined as the amount of time scheduled to allow for instruction in a course (lecture or laboratory) that provides, at a minimum, 50 minutes of interaction between the instructor and the student.
 - b. The total number of hours allowed for a continuing education program cannot exceed the actual number of clock hours.
2. Ethics/Business-Related Course or Activity—A qualifying course or activity with content areas related to (1) the awareness of ethical concerns and conflicts; (2) an enhanced familiarity with the codes of conduct; (3) an understanding of standards of practice or care; (4) project management and risk- assessment management; or (5) other similar topics aimed at maintaining, improving, or expanding the skills set and knowledge relevant to the licensee's field and methods of practice.
3. Continuing Education Unit (CEU)—Unit of credit customarily used

- for continuing education courses. One continuing education unit equals 10 contact hours in an approved continuing education course.
4. College Semester/Quarter Hour—Credit for course in ABET-accredited programs or other related college course approved in accordance with subsection E of this section.
 5. Course/Activity—Any qualifying course or activity with a clear purpose and objective that will maintain, improve, or expand the skills and knowledge relevant to the licensee’s field of practice. Regular duties are not considered qualified activities.
 6. Dual Licensee—An individual who is licensed as both a professional engineer and a professional surveyor

Rationale

One of the goals of NCEES is to advance licensure standards for all professional engineers. These standards describe the technical and professional competency needed to safeguard the health, safety, and welfare of the public. The Council recognizes that future demands for increasing technical and professional skills have resulted in the need for additional education beyond the bachelor’s degree for those entering the engineering profession. Because of the variety of definitions for a credit hour and without a current definition in the *Model Rules*, the committee is proposing these changes to clarify the definition so that all boards can incorporate into a uniform standard.

Board of directors’ position

Endorses, consent agenda
The Section does support the motion.

Advisory Committee on Council Activities (4 motions)

ACCA Motion 1

Move that a Special Committee on Bylaws be charged with incorporating the following language into the appropriate section of *Bylaws* 10, Membership Fees: “Examinees may register and sit for NCEES examinations even when their NCEES member board is in arrears.”

Rationale

ACCA is proposing this motion to clarify exam access to examinees when a member board is in inactive status. *Bylaws* 10 does not currently address exam access for examinees when an NCEES member board is in arrears with membership fees. Member boards rarely go into arrears, and examinees should not be penalized for the actions of a member board.

Board of directors’ position

Endorses, consent agenda
The Section does support the motion.

ACCA Motion 2

Move that a Special Committee on Bylaws be charged with incorporating the following language into
Bylaws 6.02:

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 more than one delegate present at the time of voting, the vote may be split proportionately 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

ACCA feels that the use of proxy voting may have a detrimental impact on the attendance at zone interim and annual meetings and have negative consequences on the Council.

Board of directors' position

Endorses, non-consent agenda
The Section does support the motion.

ACCA Motion 3

Move that a Special Committee on Bylaws be charged with incorporating the following language into
Bylaws 4.09.

Section 4.09 Board Audit Committee. The President, President-Elect, Immediate Past President, ~~and Treasurer, and Finance Committee chair~~ shall comprise the Board Audit Committee. The Board Audit Committee shall annually select and recommend for approval by the full Board the accounting firm that shall conduct the annual financial audit and prepare the annual financial statements of NCEES. The Board Audit Committee shall also review ~~and approve and recommend for formal action by the full Board of Directors~~ the audit results and final financial statement. The Board Audit Committee shall ~~and~~ approve the engagement of other financial consultants as may be necessary to facilitate its review of NCEES finances. Members of the Board Audit Committee must be free from any relationship that, in the opinion of the Board, would interfere with the exercise of independent judgment. The Board Audit

Committee shall have a working familiarity with basic finance and accounting principles and practices.

Rationale

ACCA feels that the final approval of the annual financial audit should rest with the board of directors and not the Board Audit Committee. It also is proposing to add the Finance Committee chair to eliminate the potential of a tie vote.

Board of directors' position

Endorses, consent agenda
The Section does support the motion.

ACCA Motion 4

Move that Administrative Policy 12 be amended as follows:

AP 12 Awards

NCEES will officially recognize members, associate members, emeritus members, and other volunteers who provide or have provided outstanding service to NCEES. The members of the Committee on Awards and the board of directors shall not be nominated for these awards while serving on the Committee on Awards or on the board of directors. In evaluating nominations, the following guidelines are to be observed:

Distinguished Service Award

- Must be a current member, a former member, or an emeritus member
- Must promote engineering or surveying licensure at the state or national level
- Must demonstrate positive contributions to the advancement of the engineering or surveying profession and the mission and vision of NCEES
- May include participation in professional or technical societies as a consideration
- Must demonstrate active participation in member board activities
- Must include distinguished service on at least one NCEES committee
- May be nominated by a member board

Distinguished Service Award with Special Commendation

- Must have received the Distinguished Service Award at least six years prior to receiving the Distinguished Service Award with Special Commendation. Any exception based on extraordinary circumstances must be approved by the NCEES board of directors with recommendation by the Committee on Awards.
- Must be a current member, a former member, or an emeritus member
- Must promote engineering or surveying licensure at the national level
- Must demonstrate positive contributions to the advancement of the engineering or surveying profession and the mission and vision of NCEES
- May include participation in professional or technical societies as a consideration
- Must demonstrate active participation in member board activities
- Must include leadership or exemplary service on at least one NCEES committee
- May be nominated by a member board

Meritorious Service Award

- Must be a current or former associate member
- Must demonstrate positive contributions to the advancement of the engineering or surveying profession and the mission, vision, and goals of his or her board and NCEES
- Must participate in member board activities
- Must participate in the promotion of licensure or the enforcement of member board laws and rules
- Must include distinguished service on at least one NCEES committee
- May be nominated by a member board

Distinguished Examination Service Award

- Must demonstrate positive contributions and longtime commitment to the NCEES examination program
- Must have served on at least one of the Council's examination committees or exam-related task forces
- Must demonstrate exemplary service and leadership in the advancement and improvement of NCEES examinations and the exam-development process
- May be nominated by a member board, an exam committee, or the board of directors

President's Award

- May be given by the president to recognize an individual for outstanding service in support of NCEES

Rationale

AP 12 does not currently include a President's Award. ACCA recognizes that previous presidents have recognized individuals with a President's Award and is proposing to add this category of award to AP 12 for consistency and to ensure that additional expense is covered.

Financial Impact

The cost of the President's Award is estimated to be \$2,720 annually.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

Committee on Member Board Administrators (1 motion)

MBA Motion 1

Move that the UPLG Committee be charged with incorporating the following language into *Model Law*

140.20 D:

140.20 Expirations, Renewals, and Reinstatement to Active Practice

D. If a licensee is granted inactive status, the licensee may return to active status by notifying the board in advance of this intention, by paying appropriate fees, and by meeting all requirements of the board, including demonstration of continuing professional competency as a condition of reinstatement. In the event that an inactive licensee does not maintain a current license in any jurisdiction and cannot show proof of lawful engineering and/or surveying practice, respectively, for the ~~three~~ five

previous years prior to requesting reinstatement, that individual ~~will~~ may be required 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 to show proof of current competency.

Rationale

The intent of this section is to ensure that qualified individuals are practicing professional engineering and surveying. Most member boards do not require licensees to take an exam again in order to reinstate their license after having a lapsed license for a certain length of time. There are legitimate reasons that an individual may not have maintained a current license, such as working within an industry that did not require him or her to maintain a current license. The revisions above would allow a member board to use its professional judgment as to whether the specific circumstances of each situation would call for retaking any examination to prove competency.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

Committee on Examination Policy and Procedures (3 motions)

EPP Motion 1

Move that a new Exam Administration Policy 1F be adopted and Exam Administration Policy 8A be amended as follows:

EAP 1 Administration of Examinations

- F. If a candidate's examination results are not released due to a suspected exam irregularity, the candidate will not be allowed to register for another exam until the initial results have been released.
- FG. A candidate for a CBT exam may take the examination only one time per testing window and no more than three times in a 12-month period.
- GH. The Committee on Examination Audit shall include, as part of its auditing responsibilities, a review of the examination administrative procedures manual for content and effectiveness.
- HI. If a member board bans an examinee from registering for an examination as referenced in EAP 8, it shall be the responsibility of that member board to notify NCEES of the specific terms and reasons for the ban. NCEES will 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.

EAP 8 Release and Use of Examination Results

- A. Examination results shall be released only to the respective member board, to its designee, or 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.

Rationale

The EPP Committee evaluated a request to allow NCEES staff to temporarily suspend the ability for a candidate to register for any exam if he or she has exam results on hold due to exam irregularities. The committee recommends that this be allowed and is therefore proposing the changes shown above.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

EPP Motion 2

Move that Exam Development Policies 1B, 3B, and 5B be amended as follows:

EDP 1 Examinations

It shall be the policy of NCEES in all publications and correspondence to refer to the respective examinations only as follows:

- A. Fundamentals of Engineering (FE) examination
- B. Principles and Practice of Engineering (PE) examination, including the Structural Engineering (SE) examination
The PE examinations are designated Group I or Group II as recommended by the Committee on Examinations for Professional Engineers (EPE) and approved by the board of directors.
 1. Group I examinations are prepared solely by NCEES.
 2. Group II examinations are prepared jointly by NCEES and a society that agrees to sponsor the examination in its discipline.
- C. Fundamentals of Surveying (FS) examination
- D. Principles and Practice of Surveying (PS) examination

The purpose of the examinations is to assess licensure candidates' abilities to practice competently as engineers or surveyors and to assist member boards in the regulation of the practice of engineering and surveying as it relates to safeguarding the health, safety, and welfare of the public.

EDP 3 Engineering and Surveying Examinations and Formats

- A. The Fundamentals of Engineering examination shall be administered via computer-based testing (CBT) and have supplied references.
- B. The Principles and Practice of Engineering examinations shall be offered only in the following disciplines and shall be open-book, pencil-and-paper examinations or offered via CBT with supplied references as defined in EAP 4:
 1. GROUP I
 - a. Chemical
 - b. Civil
 - c. Electrical and Computer—Computer Engineering
 - d. Electrical and Computer—Electrical and Electronics
 - e. Electrical and Computer—Power

- f. ~~Environmental~~
- g. ~~Mechanical~~
- h. ~~16-hour Structural Engineering~~
- 2. ~~GROUP II~~
 - a. ~~Agricultural and Biological~~
 - b. ~~Architectural~~
 - e. ~~Control Systems~~
 - d. ~~Fire Protection~~
 - e. ~~Industrial and Systems~~
 - f. ~~Metallurgical and Materials~~
 - g. ~~Mining and Mineral Processing~~
 - h. ~~h. Naval Architecture and Marine~~
 - i. ~~i. Nuclear~~
 - j. ~~Petroleum~~
 - k. ~~Software (to be discontinued after April 2019 exam)~~
- 1. Agricultural and Biological
- 2. Architectural
- 3. Chemical
- 4. Civil
- 5. Control Systems
- 6. Electrical and Computer—Computer Engineering
- 7. Electrical and Computer—Electrical and Electronics
- 8. Electrical and Computer—Power
- 9. Environmental
- 10. Fire Protection
- 11. Industrial and Systems
- 12. Mechanical
- 13. Metallurgical and Materials
- 14. Mining and Mineral Processing
- 15. Naval Architecture and Marine
- 16. Nuclear
- 17. Petroleum
- 18. 16-hour Structural Engineering

EDP 5 Entry of New Discipline or Depth Module to PE Examination Status

- B. No discipline shall be added as a ~~Group II examination~~ unless a technical society agrees to sponsor the examination. All technical societies that sponsor ~~Group II~~ examinations shall sign an agreement with NCEES delineating the responsibilities of both parties in developing the examinations.

Rationale

As part of the transition of PE exams to CBT, NCEES is taking on responsibility for the development of the Group II exams. The designation represented only the differentiation in development responsibilities. Therefore, the EPP Committee found no reason to continue to separate the exams as Group I and Group II in the policies and is moving to eliminate all references to them in the exam policies. The list of PE exams in EDP 3B was combined, renumbered, and alphabetized

accordingly. The PE Software exam is not shown in the new list since its last administration was in April 2019 and it already would have been eliminated when the policy manual is updated in September.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

EPP Motion 3

Move that Exam Development Policy 5 be amended as follows:

EDP 5 Entry of New Discipline or Depth Module or Reinstatement to PE Exam

- A. No discipline shall be added or reinstated to the examination program unless there is an EAC/ABET- accredited program in the discipline.
- B. No discipline shall be added or reinstated as a Group II examination unless a technical society agrees to sponsor the examination. All technical societies that sponsor Group II examinations shall sign an agreement with NCEES delineating the responsibilities of both parties in developing the examinations.
- C. Requests for examinations and/or depth modules shall be made by no fewer than 10 member boards collectively who can each demonstrate a need for the examination or depth module in their jurisdiction. A request older than four years must be reaffirmed by the member board. Requests shall include proof of such need, estimate of usage, and impact on safeguarding the health, safety, and welfare of the public. Proof of need shall include evidence that knowledge areas and skills are not adequately measured in an existing examination or module and that additional knowledge areas and skills required for the discipline are sufficient to support a new examination or module.
- D. No discipline or depth module shall be added or reinstated to the examination program unless the number of candidates for an ongoing examination conforms to NCEES policies and procedures. If that is demonstrated, a professional activities and knowledge study (PAKS) shall be conducted to establish that the addition in question is composed of a unique set of knowledges important for safeguarding the health, safety, and welfare of the public.
- E. The request shall include a plan to develop the exam in CBT format.
- F. Member boards shall be notified one year in advance of the addition or reinstatement of any discipline or depth module to the PE examination program.

Rationale

The EPP Committee reviewed and discussed the path for adding new exams to understand the required steps. After reviewing them, the committee decided that the steps, whether they are applied to a new or a reinstated exam, are all necessary for the exam to be successful and functional. The committee is proposing the amendments shown above to state that the process for reinstating a discontinued NCEES exam should be the same as that of a new

discipline or depth module.

Note: This language does not show the changes related to Group I and Group II exams (proposed in Motion 2) since they are separate items.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

Rationale

The committee discussed that preparing and planning zone interim meeting budgets require a significant amount of work. If this motion passes, Council staff, working with the zone officers and host boards, would prepare the zone interim meeting budgets that would become part of the Council's operating budget that is approved at the annual meeting. The zone interim meeting revenue and expenses would be reported in the income statement as opposed to flowing through the zone's reserves. FP 4, Zone Contribution, would not be needed if the method of preparing zone interim meeting budgets is changed, so the committee is also proposing to eliminate FP 4.

In addition, because funding zone officers and zone service award winners would no longer be addressed in the *Zone Meeting and Continuity Guidelines*, the committee is proposing to add language to FP 3 to include them in the funding.

Note: Before proposing the changes shown above, the Finance Committee reorganized FP 3, Travel Expenses, to eliminate wordiness and redundancy. Because these were not substantive changes, the committee did not present the reorganization in a motion. The original FP 3 is included in this report's appendix for reference and to describe why and how the policy was reorganized.

Financial impact

The estimated reduction in annual meeting registration fee revenue is \$7,800, and the estimated annual meeting costs are \$25,468. The total estimated negative operation impact is \$33,268.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

Public Outreach Task Force (1 motion)

Public Outreach Task Force Motion 1

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 for to prepare individuals to become engineers and surveyors, including K-12 and

university education, as well as continued professional competency for licensees. The Council—and 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. ~~Licensed professional practice includes, but is not limited to, all aspects of engineering and surveying regulated by state and territorial licensing boards or regulated by government agencies., which~~ may include 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 direct the educational standards toward licensed professional practice
 - 3. Compliance with prescribed pass rates on nationally validated content examinations
- D. Assist member boards in evaluating the indicators and metrics as established for licensure eligibility.

Rationale

This position statement recognizes that engineers and surveyors play a vital role in safeguarding the health, safety, and welfare of everyone. As such, promoting licensure to create awareness related to its value and overall effects to the public should include K–12 education and higher education—and not be limited to any particular audience.

Board of directors' position

Endorses, consent agenda
The Section does support the motion.

Surveying Exam Module Task Force (1 motion)

Surveying Exam Module Task Force Motion 1

Move that the PS examination be restructured into the following separately scored divisions and that the EPS Committee be charged with implementation:

- Core PS
- Boundary
- PLSS
- Mapping science
- Incidental drainage design

Rationale

The task force believes that to better serve the member boards and to safeguard the health, safety, and welfare of the public, a major change in the current process for examining professional surveyors is needed. By moving to a divisional approach, the member boards can be better served by knowing that examinees have proven competence in several areas. The task force also believes that a divisional exam approach will allow for less duplication between jurisdictional exams and the national exams, hopefully allowing member boards to modify current jurisdictional exams to test things that are truly limited to a specific jurisdiction. And, finally, the task force believes that this approach will allow those member boards that license mapping scientist/photogrammetry and/or having mapping science in their definition of surveying to adequately test for competence in that area (the same goes for incidental drainage design).

Financial impact

The full financial impact is yet to be determined. If the modifications to the examination can coincide with the next scheduled professional activities and knowledge study (PAKS), there will be some additional cost to NCEES to bring in subject-matter experts in areas not covered by the current PS examination. Ongoing expenses for exam development will include bringing in subject-matter experts in the areas not covered by the current PS exam; however, doing so will not happen for a number of years. If this motion passes, the task force recommends for the Committee on Finances to work with the EPS Committee to develop the examinee cost for each division of the exam.

The task force estimates that for fiscal year 2019–20, \$50,000 needs to be budgeted for further psychometric work to determine how the divisions would be scored and administered plus estimating the reliability of having shorter exam lengths (fewer questions) in a given division versus the current PS exam length of 100 questions.

Board of directors' position

Endorses, consent agenda
The Section does support the motion.

Committee on Uniform Procedures and Legislative Guidelines (1 motion)

UPLG Motion 1

Move that the *Model Rules* 240.30 C6 be amended as follows.

240.30 Continuing Professional Competency

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 self-study, independent study, or group study and through synchronous or asynchronous delivery methods such as live, correspondence, archival, or the Internet
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. Patents
8. Active participation in educational outreach activities pertaining to professional licensure or the surveying/engineering professions that involve K-12 or higher education students

D. Units

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

1. 1 semester hour..... 2
2. 1 quarter hour 1
3. 1 continuing education unit 1
4. 1 hour of professional development in coursework, seminars, or professional or technical presentations made at meetings, conventions, or conferences... 1
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..... 2
b. Each published paper or article (other than 6.a above) in the licensee’s area of professional practice 1
7. Active participation in professional and technical society (each organization)..... 1
8. Each patent 1
9. 1 hour of outreach activities 1
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

Last year’s Education Committee presented an annual meeting motion to charge UPLG with incorporating “or in accrediting organizations” to paragraph C6 as shown above. The motion passed, and UPLG received this charge. The Education Committee’s rationale for making this change was that the language of the *Model Rules* appears to exclude qualifying participation in accrediting organizations, and the committee believed that this was not the intent of this rule. The Education Committee further stated that it “discussed the training and time

commitment that ABET program evaluators and team chairs provide when performing their evaluations and how that may or may not be fairly credited toward various jurisdictions' continuing education requirements. The committee determined that it is not in NCEES' purview to define specific hours of continuing education credit for this activity, but rather to recommend 'accrediting organizations' as a similar activity as professional or technical societies in its *Model Rules*."

In its review of last year's Education Committee language, the UPLG Committee had questions about "accrediting organizations." Did it mean organizations acceptable to just EAC/ABET, or would it allow others? Should the phrase be further defined? Should it be listed separately from "professional or technical societies"? It sent these questions to this year's Education Committee for clarification.

The Education Committee responded to UPLG's questions and said that the original charge to last year's Education Committee was to evaluate if and how ABET program evaluators can receive PDH credit for this effort and that no "bucket" exists in the NCEES model documents. The Education Committee noted that the term "accrediting organizations" does not seem as vague as the term "professional or technical societies," as listed in the same paragraph. Breaking out the new term into a separate category did not seem the way to go since it would require adding the number of units under section D (shown for reference), something the Education Committee was hesitant to do since defining the number of hours would be difficult.

After receiving the Education Committee's more detailed rationale, UPLG decided to present the language as the Education Committee originally presented it (and as shown above).

As a result of this review, UPLG has two recommendations. It recommends that the Education Committee be charged with reviewing C7 to define what activity related to a patent is acceptable (should it be attaining a patent related to engineering or surveying?) and to make it an action like others in the list. It also recommends that the Education Committee be charged with considering whether to add a new C9 for "Other qualifying activities approved by the board."

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

NCEES Board of Directors (1 motion)

Board of Directors Motion 1

Move that the Special Committee on Bylaws be charged with incorporating the following language into *Bylaws*

3.09.

Section 3.09 Zone Organization. Each zone shall adopt the *Zone Meeting and Continuity Guidelines* for its organization and operation consistent with and in

conformity to the NCEES *Bylaws*.

Each zone shall submit copies of its minutes ~~and an annual financial statement~~ to the Council at the Annual Business Meeting of the Council. Each zone shall elect an Assistant Vice President who shall serve a two-year term concurrent with the Vice President. The Assistant Vice President shall assist the Vice President, shall perform the duties outlined in the *Zone Meeting and Continuity Guidelines*, and shall perform all duties of the Vice President in the event that the Vice President is unable to perform for any reason. This shall include fulfilling the duties as Vice President on the Board of Directors.

Each zone shall elect a Secretary-Treasurer. Members and associate members shall be eligible to hold the office of Secretary-Treasurer. The Secretary-Treasurer shall keep and have published zone minutes, and maintain records of zone activities, ~~and handle zone financial affairs under the direction of the Vice President.~~

Administration of the financial affairs of the zone shall be consistent with those of the Council as governed by the Council's Articles of Incorporation and the *Bylaws*, ~~with submittal of financial statements as required.~~

Rationale

If the Committee on Finances Motion 5 passes (which essentially will allow Council staff, working with the zone officers and host boards, to prepare the zone interim meeting budgets), these changes to *Bylaws* 3.09 are needed to agree with the Finance Committee modifications to Financial Policies 3 and 4.

Board of directors' position

Endorses, consent agenda
The Section does support the motion.

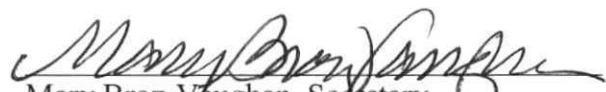
Conflict of Interest forms and travel vouchers were completed by all Section members present.

**Conflict of
Interest / Travel
Vouchers**

There being no further business, the meeting was adjourned at 2:17 p.m.

Adjourn


Christopher Stone, Chair


Mary Broz-Vaughan, Secretary

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Doyle B. Allen
2. Title: Board Member
3. Agency: Land Surveyors Section/APELSCIDLA Board
4. Meeting/IFF Date: PE-LS Section Meeting, August 8, 2019
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

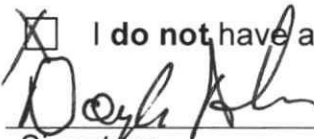
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.


or

I did not participate in the transaction.

6. I **do not** have a personal interest in any transactions taken at this meeting.



Signature



Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Vinay Nair
2. Title: Board Member
3. Agency: Professional Engineers Section/APELSCIDLA Board
4. Meeting/IFF Date: PE-LS Section Meeting, August 8, 2019

5. I have a personal interest in the following transaction:

N/A

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

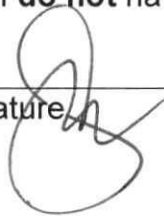
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I **do not** have a personal interest in any transactions taken at this meeting.

Signature



Date

8.8.19.

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Christopher Stone
2. Title: Board Member
3. Agency: Professional Engineers Section/APELSCIDLA Board
4. Meeting/IFF Date: PE-LS Section Meeting, August 8, 2019

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I **do not** have a personal interest in any transactions taken at this meeting.


Signature


Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Michael W. Zmuda
2. Title: Board Member
3. Agency: Land Surveyors Section/APELSCIDLA Board
4. Meeting/IFF Date: PE-LS Section Meeting, August 8, 2019

5. I have a personal interest in the following transaction:

 N/A

Nature of Personal Interest Affected by Transaction:

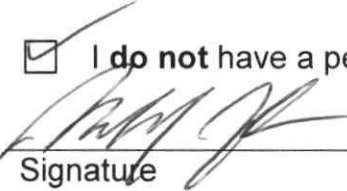
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I **do not** have a personal interest in any transactions taken at this meeting.



Signature

 8/8/19
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: James Kelly
2. Title: Board Member
3. Agency: Professional Engineers Section/APELSCIDLA Board
4. Meeting/IFF Date: PE-LS Section Meeting, August 8, 2019

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I **do not** have a personal interest in any transactions taken at this meeting.



Signature

8/8/19

Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Vickie Anglin
2. Title: Board Member
3. Agency: Land Surveyors Section/APELSCIDLA Board
4. Meeting/IFF Date: PE-LS Section Meeting, August 8, 2019

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

Land Surveyor

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I **do not** have a personal interest in any transactions taken at this meeting.

V. M. Anglin
Signature

08/08/2019
Date