

Washington State Board of Registration for Professional Engineers & Land Surveyors

Board Meeting

April 21, 2021

[WebEx Link](#)

or

Join by video system, application or Skype for business

Dial 1330925989@webex.com [1773038217@webex.com](tel:1773038217)

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Meeting password: R8UdjdPkn28

Tap to join from a mobile device (attendees only)

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Board Meeting

Tab 1

Call to Order

- Roll Call
- Order of Agenda
- Approval of February 18, 2021 Meeting Minutes
- Public Comment Opportunity



STATE OF WASHINGTON
BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

Special Board Meeting Agenda

DATE & TIME: April 21, 2021 8:00 a.m.

LOCATION: [WebEx Link](#)

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ATTENTION: All meetings are open to the public except when business calls for a Closed Session. During Closed Session all guests will be excused. Start times are subject to change by the Board or Committee Chair.

OPEN SESSION

1. Call to Order

- 1.1. Roll Call
- 1.2. Order of Agenda
- 1.3. Approval of February 18, 2021 Meeting Minutes
- 1.4. Public Comment Opportunity

2. Disciplinary Action

- 2.1. Disciplinary Report

3. Committee Reports

- 3.1. Executive Committee – [Link to Agenda](#)
- 3.2. Practice Committee – [Link to PC Agenda](#)
- 3.3. Exam Qualifications Committee – [Link to EQC Agenda](#)
- 3.4. Survey Committee – [Link to SC Agenda](#)
- 3.5. Structural Committee – [Link to SE Agenda](#)

4. New Business

- 4.1. WAC Draft Language Recommendations
 - 4.1.1. WAC 196-12 Partial Draft Language Recommendation (from EQC)
 - 4.1.2. WAC 196-09 (from PC)
- 4.2. Investigative & Legal Processes Flowcharts (from PC)
- 4.3. Board Policy Review & Recommendations
 - 4.3.1. Policy #48 – Complaint Processing (from PC)
 - 4.3.2. Policy #42 – Incidental Surveying (from Survey Committee)
- 4.4. PLS State Exam Cut Scores (from EQC)
- 4.5. Legislative Outreach Committee (from Executive Committee)
- 4.6. Future Meetings Logistics

5. Old Business

- 5.1. None

6. Director's Report

- 6.1. Financial Report with Paul Bitar
- 6.2. Agency Operations
- 6.3. Other Items

7. Assistant Attorney General's Report

8. Other Business

- 8.1. Additional Public Comment
- 8.2. Upcoming Outreach and Events
- 8.3. Rolling Action Item List + Action Items from This Meeting
- 8.4. Agenda Items for Next Meeting

9. Adjourn Meeting



STATE OF WASHINGTON
BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

SPECIAL BOARD MEETING MINUTES

DATE: February 18, 2021

TIME: 8:00 a.m.

LOCATION: WebEx

ATTENDANCE:

Board Members

Aaron Blaisdell, PLS, Chair
Marjorie Lund, PE, SE, Vice Chair
Nirmala Gnanapragasam, Ph.D, PE
Doug Hendrickson, PE
Dave Peden, PE, SE
Ivan VanDeWege, PE
James Wengler, PLS, CFedS

Staff Members

Elizabeth Lagerberg, Advising AAG
Ken Fuller, PE, Director
Richard Larson, PLS, Deputy Director
Carmena Moretti, Executive Assistant
Shanan Gillespie, Regulatory Program Manager
Jill Short, Investigations & Compliance Manager
Vonna Cramer, Licensing Lead
Paul Bitar, Senior Financial Consultant

1. Call to Order at 8:04 a.m.

1.1. Mr. Blaisdell, Board Chair, took roll call.

1.2. Order of Agenda

A motion was made by Ms. Lund, and seconded by Mr. VanDeWege, to accept the agenda.
Motion carried.

1.3. Approval of Meeting Minutes

A motion was made by Mr. Hendrickson, and seconded by Ms. Gnanapragasam, to accept the February 1, 2021 meeting minutes as written. Motion carried.

1.4. Public Comment Opportunity

None Provided

Executive Session

Mr. Blaisdell, Board Chair, announced the purpose and estimated time 8:12 to 8:32 a.m. for Executive Session.

Open Session Reconvened – 8:32 a.m.

2. Disciplinary Action

2.1. Recommended Closure

2019-11-10023-00ENG

Mr. Hendrickson recommended the case be closed.

A motion was made by Ms. Gnanapragasam, and seconded by Mr. VanDeWege, to accept the case manager's recommendation for closure. Motion carried. Mr. Hendrickson abstained.

2.2. Disciplinary Report

Ms. Short provided a summary of the Disciplinary Report that was included in the board packet.

3. Committee Reports

3.1. Executive Committee

Mr. Blaisdell delivered the committee's report.

Discussion Items:

1. Financial Report with Paul Bitar

Mr. Bitar provided the committee with the current financial report. He said that it appears the Board will have a positive account balance at the end of the biennium. The DOL invoices from the first three months of the fiscal year (July-Sept) were higher than the October/November invoices, and Mr. Bitar stated that if the invoices remained at the October/November invoice levels, the positive account balance will result in an account balance of approximately \$900K at the end of the biennium.

2. Recording Board Meetings – report out from Ms. Lagerberg

Ms. Lagerberg reported on what she found in researching recordings of meetings by 3rd parties. The Board is prohibited from restricting recordings of open public meetings by 3rd parties.

Mr. Blaisdell asked if the Board was required to provide notification that the meeting may be recorded. Ms. Lagerberg informed the committee that the board does not have to provide notification and the Board cannot require the 3rd party to state they are recording. Ms. Lagerberg was also asked if the 3rd party recording becomes part of the public record, which she stated no, because the Agency (Board) did not do the recording, and it is the 3rd party's property.

The committee discussed whether the Board should be recording the meetings. The committee agreed that they should be recording the meetings. Mr. Blaisdell told staff to include this as a discussion item during the Executive Committee report.

Mr. Blaisdell asked Mr. Fuller to research recording capabilities of both virtual and in-person meetings, and report back to the committee.

3. Director's Report – Board/Agency operations

Mr. Fuller reported to the committee that Mr. Larson is now permanent in the Deputy Director position.

Mr. Fuller discussed key performance indicators for the Agency (Board)

Mr. Fuller informed the committee of the following:

- He is working with the Department of Licensing on the Statement of Work (SOW) #2. DOL will get a draft SOW to him this week
- The agency will be using WA Tech for IT and desktop support
- He is working with the DES lease team on moving forward with leasing office space. Mr. Larson is scheduled to meet with the DES lease team at a possible location this Friday.
Mr. Fuller reminded the committee that the Delegation of Authority to the Director needs to be completed. Mr. Fuller will send the last draft of the delegation document to Ms. Lagerberg for edits and have it ready for review by the committee at the next meeting.

4. Legislation

- Legislative Cut-off calendar

There was a discussion of the cut-off dates in the legislature.

- Bill tracking – setting priority and position

A discussion was held regarding the status of the bills the board is currently tracking. Priority will be set by the Executive Committee, and the Position will be neutral, unless the board determines it should be otherwise. All tracked bills currently have a neutral position.

The committee determined that if a bill is “high” priority, staff will send the committee emails of any upcoming hearings regarding the bill. Mr. Fuller will analyze any substitute bill language to see if there is a change to the priority assigned.

5. Rule-making process discussion

The rule-making flow chart was in the packet. Ms. Gillespie informed the committee that a Small Business Economic Impact Statement (SBEIS) / Cost Impact Analysis is required as part of the rule making process. Mr. Fuller volunteered to help staff with this process.

The committee and Ms. Lagerberg requested a rule-making status report. Ms. Gillespie will send updated rule-making status report to board members.

6. FYI – WAC 196-09 – sent to Practice Committee to add complaint/investigations language

The Committee requested that the current draft of WAC 196-09 be sent to them and the Practice Committee.

Action Items:

- Mr. Blaisdell tasked Mr. Fuller with researching recording capabilities of both virtual and in-person meetings and bring back to the committee for later discussion.
- Mr. Fuller will send last draft of the delegation document to Ms. Lagerberg for edits and review at the next committee meeting.
- Ms. Gillespie will send updated rule-making status report to board members.
- Staff will send the latest draft of WAC 196-09 to the Executive Committee and Practice Committee.

A motion was made by Mr. Hendrickson, and seconded by Ms. Lund, to receive the Executive Committee report. Motion carried.

3.2. Practice Committee (PC)

Ms. Lund delivered the committee's report.

Total Complaints Received	8
Engineering Complaints	4
Surveying Complaints	4
Onsite Designer Complaints	0
Total Administrative Closures	12
Engineering Closures	9
Surveying Closures	3
Onsite Designer Closures	0

Compliance Report:

Ms. Lund reported there are three individuals on compliance monitoring (Richard Russum, PLS; Russell Bodge, PE; and Ron Dalle, OS) and that all of them are currently in compliance with the terms of their board orders. Mr. Dalle has met all terms of his board order and will be removed from compliance monitoring.

Action Items:

1. The PC is recommending repealing Policy 3 – Issuing a New License Number for Revoked Certificates.
2. The PC reviewed Policy 48, the flowcharts for the investigations, etc. Ms. Short will update the flowcharts and Ms. Lagerberg will look at the comments in draft WAC 196-09. This information will then be sent to PC members in the next 2-3 weeks for their review.
3. Ms. Lagerberg will research Branch Offices, Corporation Act, & designated officials and their responsibilities.
4. Ms. Lagerberg will clarify which business needs a COA and how those businesses must register with the Board.

5. Mr. Larson and Mr. Wengler will look at draft WAC 196-25 with Ms. Lagerberg's comments.

6. Staff is still researching and exploring SharePoint as a database for questions/answers.

A motion was made by Mr. Wengler, and seconded by Mr. VanDeWege, to receive the Practice Committee report. Motion carried.

3.3. Exam Qualifications Committee (EQC)

Ms. Gnanapragasam delivered the committee's report

Application Review Summary

1. Reviewed PE by exam applicant transcript including BS Civil Engineering from ABET accredited university. Applicant granted 1 year of experience for MS in Hydrology with a total of 5 years of education towards the 8 years of experience required to take PE exam.
2. Reviewed and denied FE equivalency request to use MS thesis in place of FE requirement.
3. Reviewed and denied alternative pathway for FE requirement request. Applicant provided application; foreign degree transcripts; an AACRAO foreign degree evaluation; and a copy of the syllabus for the engineering registration requirements in Jordan, where the applicant is currently registered.
4. Re-reviewed and approved an application from December after applicant provided additional information regarding the IStructE qualification process in the UK.
The Committee previously determined that the IStructE exam appeared to be equivalent to the PE exam but *not* the FE exam.
5. Reviewed and denied alternative pathway for FE requirement request. Applicant has an Engineers Australia Chartered Professional Engineer status and feels, based on the NCEES FE civil specs, the FE exam would have been part of the exams they sat for in Australia.

Discussion Items:

1. Polaris Overview

Licensing Specialist, Ms. Wherrett presented an overview of the new licensing system Polaris.

2. Law Review (OS/PLS)

A suggestion was made by staff to compile OS/PLS law review exams into the state specific exams to create more questions for state specific exams and free up staff time. This will cause the OS/PLS state specific exams to run longer, so staff will look for an alternative online exam platform, such as Canvas or Survey Monkey.

3. On-Site Wastewater Designer Application

The EQC discussed updates to the On-Site Wastewater Designer application, experience form, and reviewer verification form. OS Subject Matter Expert (SME) Mr. Wilkerson will review and provide feedback to Mr. Fuller, Ms. Gillespie, and Ms. Cramer who will incorporate his recommendations and provide a draft application for consideration at the next EQC meeting.

4. WAC 196-12

The committee reviewed updates from the January 2021 EQ special meeting to WAC 196-12. Changes were made to the draft language; however, the committee did not finish reviewing it.

5. FE Alternative Pathway

The committee stated that education and/or experience is NOT acceptable as equivalent to the FE exam. It was the opinion of the committee that currently there is no equivalent exam to the NCEES FE exam. All applicants that requested a waiver of the FE, or alternative pathway, need to be notified that they will have to take the NCEES FE exam if they want licensure in Washington.

It was suggested that the EQ work on a form for applicants to fill out that identifies how exams in foreign jurisdictions could be equivalent to the NCEES FE exam. The committee came up with a partial list of what the form would ask including that the exams must be independently proctored & graded, given through a government agency or recognized NGO, and that the subject matter is equivalent to the subject matter covered on the NCEES FE exam. This information would have to be obtained by the applicant and reviewed by the EQC before any licensing eligibility decisions are reached.

EQC Action Items:

1. Ms. Cramer will notify applicants of EQC application review decisions.
2. Ms. Cramer will research how the Law Review can be administered through an alternative platform.
3. Staff will incorporate Mr. Wilkerson's comments on the OS application and pass onto EQC for review.
4. Ms. Cramer to provide information regarding the SE applications that do not follow normal licensing path for February EQC and SE committee meetings.
5. EQC will explore options of accommodating waiver requests in special cases when applicants have with years of experience.

A motion was made by Mr. Hendrickson, and seconded by Ms. Lund, to receive the Exam Qualifications Committee report. Motion carried.

3.4. Survey Committee

Mr. Wengler delivered the committee's report.

Discussion Items

1. Legislation

- SB 5224 – Modifying provisions related to land survey reference markers

Mr. Wengler informed the committee that SB 5224 looks like it has stalled in committee. It was scheduled for Executive hearing, but no action was taken. He also informed the committee that it appears there are issues with where the recording fees go.

2. Status of April 2021 4-hour PLS exam

- Staff informed the committee that there are currently 11 PLS candidates for the Olympia site, and 5 PLS candidates for the Spokane site.
- Staff informed the committee that a few questions have been updated and will be included in the exam. It will be printed within the next few weeks.

3. Policy #42 – Incidental Surveying

- Ms. Gnanapragasam informed the committee that she had reviewed policy #42, and suggested that language be added (number 5) to read along the lines of: “That the work performed by the professional engineer must meet the minimum standards in WAC 332-130-145.” The committee was in concurrence with the changes.

Action Items:

1. The committee is recommending that once the edits are made to Policy #42, that the PC review the policy and make a recommendation to the full board to accept it.

3.5. Structural Committee

Mr. Hendrickson delivered the committee’s report.

Discussion Topics:

1. NCEES Structural Exam CBT Development

- Discussion was held with acknowledgement that the SE CBT exam is slated to be the last exam to convert to CBT with implementation currently scheduled for 2024.
- Mr. Lau reported that there is discussion at NCEES that once all other exams move to CBT, the SE paper/pencil exam administration move to regional exam sites instead of administering the exam in each state. This is in the discussion stage right now, and no action has been taken. Mr. Lau suggested that Mr. Fuller contact Tim Miller at NCEES to discuss this further.
- Regionalization, examination out of direct jurisdiction, of SE exam implementation may be construed as a path to potential delay of CBT onset.
- Mr. Lau also noted the calendar shifts by one period of exams that is being experienced.
- Mr. Peden asked how WA is involved with the NCEES SE Examination. Mr. Hendrickson and Mr. Lau explained that not only are some board members involved, but WA licensees also. This is accomplished through NCEES Exam

Committee membership, or by volunteering to work on the development and/or grading of the exams.

2. 1/13/21 SE Licensing and Regulations for High Seismic Zones meeting discussion
 - Ms. Lund informed the committee that there was nothing new to report on the SE exam transitioning to CBT. Upon completion of final review, Ms. Gillespie will distribute SE Licensing and Regulations for High Seismic Zones meeting notes to appropriate parties.
3. SE Licensing Application Updates
 - The committee discussed the current SE application, and directed staff to work on the instruction language and revise it to assure alignment with what is in RCW/WAC.

Action Items:

1. Send report of 1/13/21 SE Licensing and Regulations for High Seismic Zones meeting discussion to meeting participants when complete with review – Mr. Fuller/Ms. Gillespie
2. Send SE experience descriptions to Mr. Peden as examples – Ms. Cramer
3. Send draft SE rule language to committee members – Ms. Lagerberg/Ms. Gillespie
4. Application update assignments:
 - a. Ms. Cramer – Work with Mr. Peden, Ms. Lund & Mr. Lau to come up with language that would help define “satisfactory to the board” experience.
 - b. Ms. Cramer – Provide the number of SE applicants by comity, and the number of applicants with SE exam only at next meeting.
 - c. Ms. Cramer- Send Word version of application to Ms. Lund & Mr. Peden
5. Ms. Cramer/Mr. Fuller/Ms. Gillespie – Look at SE application instructions, and revise language to assure alignment with what is in RCW/WAC.

4. New Business

4.1. Repealing Policy #3 and/or WAC replacement (from PC)

The Practice Committee recommended repealing Board Policy #3 Issuing a New License Number for Revoked Certificates. The PC felt that RCW 18.43.110 covers the aspect of getting a new license and whether an applicant reapplies and receives a new license number would be part of the Board’s deliberation at a hearing.

A motion was made by Ms. Lund, and seconded by Mr. Hendrickson, to repeal Board Policy #3. Motion carried.

4.2. Policy 48 revocation and new flow chart location (from PC)

Discussion of this matter was withdrawn and postponed until a later date.

4.3. WAC 196-12 Review (from EQC)

Discussion of this matter was withdrawn and postponed until a later date.

4.4. Application Form and Process Updates (from EQC)

Discussion of this matter was withdrawn and postponed until a later date.

4.5. Legislative Report and Bills the Executive Committee Recommends Action

No legislative updates or recommendations from the Executive Committee at this time.

4.6. Board Staff Performance Evaluation Process

Mr. Blaisdell proposed that, as a new agency, BRPELS consider developing a process for staff annual performance evaluations to replace the procedures previously handled by DOL. He encouraged board members to review Performance and Development Plan Instructions for Statewide Standard Forms from OFM State HR and to direct any questions to the Executive Committee who will be taking the lead on developing this process.

Ms. Gnanapragasam requested staff provide board members with an org chart. It was also recommended an updated staff list be sent at the same time. Ms. Moretti agreed to email the documents after the board meeting.

5. Old Business

None

6. Director's Report

6.1. Agency Operations

Mr. Fuller reported that Mr. Larson is meeting with DES Leasing Services tomorrow to look at permanent office space for BRPELS near the Capital Campus. Mr. Fuller indicated he is hopeful that lease negotiations and renovations will be completed by the time the sublease is done at CRAB at the end of June.

Mr. Fuller notified the board that staff has completely migrated from the hardware server that DOL was using. We are operating completely in a cloud environment through Microsoft Office 365. Staff still utilize DOL through VPN for access to the licensing system. Beginning the end of March, the agency will be using WA Tech for IT and desktop support.

Staff continue to work from home with about 10% time in the physical office mostly for mail, scanning, printing, and training meetings.

Mr. Fuller informed the Board that OFM conditionally agreed to the request to allow the current Director's salary to remain outside of the banded range for the position but that it would revert back for any future Director. Mr. Fuller has asked Ms. McClintock in HR to work on permanently matching the band to the higher salary set by the Board.

Mr. Fuller discussed the agency's Journal and his commitment to getting it published this Spring. Mr. Blaisdell agreed that the Journal has been instrumental in getting information out to licensees and potential applicants but that it should only be one component of BRPELS' total outreach strategy. Board members agreed that the Agency may need to explore ways that social media and promoting the website can reach people more directly. Board members indicated they were in favor of engaging a dedicated resource for BRPELS overall outreach strategy and letting them figure out the communication avenues and best way to promote the Agency.

Mr. Blaisdell tasked Mr. Fuller with developing a small workgroup to strategize and prioritize an outreach plan for BRPELS.

Mr. Fuller asked Mr. Larson to give an update on subcommittees and SME for OS and PLS and Mr. Larson informed the Board that his is currently picking a new team of PLS SMEs to work on writing new exam questions and that DNR is going to join. Mr. Fuller explained that he would like to expand SMEs from just exam writing to utilizing them as experts to help the Agency stay on top of things within the industries. Mr. Blaisdell agreed that it is good to discuss industry issues with fellow professionals however cautioned against bringing SMEs in for things other than exam writing and sidestepping resources already in place, e.g. committees and pro-tem board members. Ms. Gnanapragasam noted that when the EQC has doubts about OS applications, it is very helpful having a SME as a resource.

6.2. Financial Report

Mr. Bitar provided an overview of February's financial report and indicated the agency is in excellent financial condition with approximately \$694K in the Agency's operating account. At the end of this biennium the balance may be as high as \$900K due to decreasing invoices from the Department of Licensing. With the one-time implementation costs of DOL's new licensing system wrapping up, the most recent monthly invoices were about \$30K. Revenue are expected to exceed expenses over the last five months of this biennium which ends on June 30th. Other than the DOL costs, expenses remain extremely low.

Both the Governor's budget and early legislative proposals look favorable for BRPELS and don't indicate cuts to the Agency.

6.3. NCEES Coordination and NCEES Committee Updates

Mr. Fuller reported that NCEES has cancelled the in-person zone interim meeting in April and that he and Mr. Blaisdell will be attending virtually.

7. Assistant Attorney General's Report

Ms. Lagerberg stated she has nothing new to report at this time.

8. Other Business

8.1. Additional Public Comment

None Provided

8.2. Upcoming Outreach and Events

May 13th – NCEES Western Zone Virtual Meeting – Mr. Fuller and Mr. Blaisdell attending.

April 15th – 17th – 2021 Pacific Northwest ASCE Student Conference – Mr. Blaisdell will be one of the judges at the student survey competition.

LSAW Western Regional Virtual Survey Conference March 27-30, 2021. Mr. Blaisdell, Mr. Wengler, Mr. Fuller, and Mr. Larson have been invited to be part of board panel.

8.3. Rolling Action Item List + Action Items from This Meeting

Board staff reviewed the Rolling Action Items List from the packet and added the following items from this meeting:

1. The Survey Committee will complete edits to Policy #42 and forward to the PC for review.
2. Mr. Fuller and Ms. Gillespie will send the report of 1/13/21 SE Licensing and Regulations for High Seismic Zones meeting discussion to meeting participants.
3. Ms. Cramer will send SE experience descriptions examples to Mr. Peden.
4. Ms. Lagerberg and Ms. Gillespie will send draft SE rule language to Structural Committee members.
5. EQC application update assignments:
 - a. Ms. Cramer will work with Mr. Peden, Ms. Lund & Mr. Lau to come up with language that would help define “satisfactory to the board” experience.
 - b. At the next EQC meeting, Ms. Cramer will provide the number of SE applicants by comity, and the number of applicants with SE exam only.
 - c. Ms. Cramer will send Word version of application to Ms. Lund & Mr. Peden.
6. Ms. Cramer, Mr. Fuller, and Ms. Gillespie will look at SE application instructions, and revise language to assure alignment with what is in RCW/WAC.
7. Mr. Fuller will have Ms. Moretti research recording capabilities of both virtual and in-person meetings for discussion with the full board.
8. Mr. Fuller will send last draft of the delegation document to Ms. Lagerberg for edits and review at the next committee meeting.
9. Ms. Gillespie will send updated rule-making status report to board members.
10. Staff will send the latest draft of WAC 196-09 to the Executive Committee and Practice Committee.
11. Ms. Short will update the flowcharts and Ms. Lagerberg will look at the comments in draft WAC 196-09. This information will then be sent to PC members in the next 2-3 weeks for their review.
12. Ms. Lagerberg will research Branch Offices, Corporation Act, & designated officials and their responsibilities.
13. Ms. Lagerberg will clarify which business needs a COA and how those businesses must register with the Board.
14. Mr. Larson and Mr. Wengler will look at draft WAC 196-25 with Ms. Lagerberg’s comments.
15. Staff will continue to research options for a database for email questions/answers.
16. Ms. Cramer will notify applicants of EQC application review decisions.
17. Ms. Cramer will research how the Law Review can be administered through an alternative platform.

18. Staff will incorporate Mr. Wilkerson's comments on the OS application and pass onto EQC for review.
19. Ms. Cramer to provide information regarding the SE applications that do not follow normal licensing path for February EQC and SE committee meetings.
20. EQC will explore options of accommodating waiver requests in special cases when applicants have with years of experience.

8.4. Agenda Items for Next/Upcoming Meetings

None Provided

9. Adjourn Meeting

A motion was made by Mr. Hendrickson, and seconded by Ms. Gnanapragasam, to adjourn the meeting at 11:35 p.m. Motion carried.

Next Meeting: April 21, 2021 – Special Board Meeting

Respectfully submitted

Ken Fuller, PE, Director

Board Meeting

Tab 2

Disciplinary Activity

- Disciplinary Report

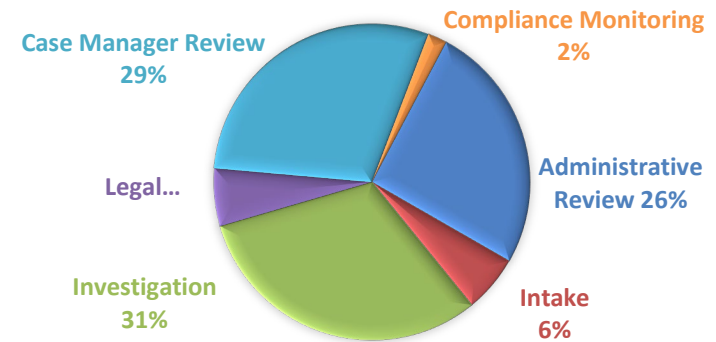
Board of Registration for Professional Engineers Land Surveyors

Disciplinary Report - April 2021

Open Case Status

Status	Program Type			Total
	Engineers	Land Surveyors	OSW	
Administrative Review	1	12	0	13
Intake	0	2	1	3
Investigation	12	4	0	16
Legal	0	0	3	3
Case Manager Review	3	11	1	15
Compliance Monitoring	1	0	0	1
Total	17	29	5	51

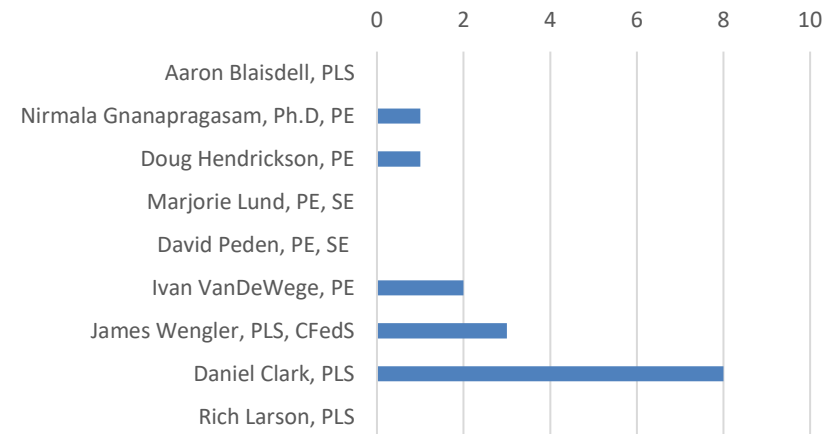
OPEN COMPLAINT STATUS



Case Manager Review

Case Manager	Program Type		Total
	Engineers	Land Surveyors	
Aaron Blaisdell, PLS	0	0	0
Nirmala Gnanapragasam, Ph.D, PE	1	0	1
Doug Hendrickson, PE	1	0	1
Marjorie Lund, PE, SE	0	0	0
David Peden, PE, SE	0	0	0
Ivan VanDeWege, PE	2	0	2
James Wengler, PLS, CFedS	0	3	3
Daniel Clark, PLS	0	8	8
Rich Larson, PLS	0	0	0
Total	4	11	15

Case Manager Open Complaints



Administrative Review

Board Staff	Engineers	Land Surveyors	OSW	Total
Ken Fuller, PE	0	0	0	0
Rich Larson, PLS	1	12	0	13
Total	1	12	0	13

Board Meeting

Tab 3

Committee/Task Reports

- Executive Committee
- Practice Committee
- Exam/Qualifications Committee
- Survey Committee
- Structural Committee

Board Meeting

Tab 4

New Business

- WAC Draft Language Recommendations
 - WAC 196-12 Partial Language Recommendation (from EQC)
 - WAC 196-09 (from PC)
- Investigative & Legal Processes Flowcharts (from PC)
- Board Policy Review & Recommendations
 - Policy #48 – Complaint Processing (from PC)
 - Recommendation for Board Policy #42 (from Survey Committee)
- PLS State Exam Cut Scores (from EQC)
- Legislative Outreach Committee (from Executive Committee)
- Future Meetings Logistics

Chapter 196-12 WAC

REGISTERED PROFESSIONAL ENGINEERS

Last Update: 5/1/18

WAC 196-12-005 Declaration and purpose. This chapter contains rules and procedures for applications, examinations, experience, education, and eligibility ~~and examinations~~ to become licensed as professional engineers.

WAC 196-12-010 Registration-Licensure requirements for all applicants - initial licensure and licensed in another jurisdiction. To become licensed as a professional engineer in the state of Washington, whether you are applying for an initial license or you possess a licensed in another jurisdiction, you must meet the requirements for experience and examinations described below, which need not be completed within the state of Washington:

(1) **Experience:** Have eight years of experience in engineering work of a character satisfactory to the board:

(a) The eight years ~~of experience~~ may be a combination of education and ~~practical~~ work experience. ~~Under selected~~

~~circumstances a maximum of five years of education (baccalaureate and master's degrees in engineering) can be granted toward the eight-year requirement;~~

(b) The eight years of experience must be broad based, and progressive ~~experience~~ to include gaining knowledge and comprehension of engineering subjects and applying engineering principles.

(2) Examination Requirements: An applicant must have
~~Receive~~ received a passing scores on two stages of
examination(s). One must test the fundamentals of engineering
and the other must test the principles and practice of
engineering. Exam results must be indeplendently verified by a
NCEES member board, or a board approved foreign jurisdiction.

(a) Fundamentals of Engineering Examination must meet the
following requirements:

(i) The examination must be either:

(A) ~~the~~ The National Council of Examiners for Engineering
and Surveying (NCEES) fundamentals-of-engineering (FE)
examination. ~~, Or, have a current license as a Canadian~~
~~professional engineer (P.Eng), and having received a passing~~

~~score on the Engineers Canada Professional Practice Examination (PPE);~~

(B) An equivalent examination as determined by the Board which tests the applicant's knowledge of appropriate fundamentals of engineering subjects including mathematics and the basic sciences as defined in RCW 18.43.040(1)(b)(i).

~~(3b) Receive a passing score on the NCEES Principles and Practice of Engineering examination:~~

The principles and practice of engineering (PE) examination; must be either the examination administered by NCEES, or an equivalent examination as determined by the board.

~~(43) Additional Licensure Requirements:~~

An applicant must meet the following additional requirements for licensure:

(i) Receive a passing score on the Washington law review;

~~(5ii) Be of good character and reputation~~Fully complete the application form to the satisfaction of the board; and

~~(6iii) Payment of all~~ applicable fees.

~~Exam results must be independently verified by the NCEES member board, or engineers Canada constituent association that granted approval to take the exam.~~

~~**WAC 196-12-011 Application requirements.** All applications for the professional engineer (PE) examinations must:~~

~~(1) Be received at the board's address with the applicable fee by:~~

~~(a) January 15 for the April exam administrations;~~

~~(b) July 31 for the October exam administrations.~~

~~(2) Be completed and submitted on forms provided by the department.~~

~~(3) Include the names and addresses of five references, three of which must be licensed engineers having personal knowledge of the applicant's character and reputation.~~

~~(4) Be supported by documents such as:~~

~~(a) Official college transcripts, showing all grades and degrees;~~

~~(b) Completed experience verifications; and~~

~~(c) Any applicable verifications of licensing and/or examination records from other licensing jurisdictions.~~

~~WAC 196-12-012 Reexamination requirements. All applicants who fail to pass an examination or do not appear at the scheduled examination time may request, in writing, an opportunity for reexamination. The request must be received in the office of the board with applicable fee by January 15th for the April exam administrations or July 31st for the October exam administrations.~~

NEW SECTION

WAC 196-12-013 FE Examination Application.

(1) ABET accredited degree applicants. For those who have attended ABET accredited degree programs and who have reached senior standing, applications to take the FE examination may be completed online directly with NCEES. Applicants should list the state of Washington as their licensing state.

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(2) All other applicants. Those who do not meet the requirements of WAC 196-12-013(1) must fill out the FE exam application provided on the board website, <https://brpels.wa.gov>, demonstrate they meet the requirements, provide required documentation, and be approved by the board to take the examination.

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Further details on education experience records are provided under WAC 196-12-021.

NEW SECTION

WAC 196-12-014 PE Licensure Application Form.

The board has a single application form for PE licensure in the state of Washington. This application form must be used by all applicants including those applying for, (i) the PE exam and licensure concurrently, (ii) those who have already taken the PE examination in another jurisdiction but have not obtained their initial license, and (iii) those who are already licensed in another jurisdiction and are seeking a license in Washington State.

(1) Concurrent PE examination and licensure applications:

Applicants who have not taken the PE examination will apply for both the PE examination and licensure on the application form. In order to be approved by the board to take the PE examination, the applicant must complete all sections of the form, except the date and location of taking the PE exam, and must otherwise meet all of the qualifications for licensure.

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Upon passing the PE examination, the applicant is also qualified for licensure.

Applications for PE examination and licensure must be received at the board's address with the applicable fee by the date posted on the board's website.

(2) All other applicants for PE licensure in Washington State.

All other applicants applying for licensure in the state of Washington, including those who are licensed in another jurisdiction or have passed the Principles & Practices of Engineering examination but have not obtained their initial license, must complete all sections of the application form provided by the board.

(a) All applicants must provide information on the application form that demonstrates they meet all requirements for licensure. This includes work experience requirements, education requirements and examination requirements as detailed in WAC 196-12-010; WAC 196-12-020; WAC 196-12-021 and RCW 18.43.040.

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(b) All applicants must provide the following documents to verify these requirements:

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(i) Education experience records - Official transcripts or the equivalent, showing all grades and degrees.

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(ii) Work experience records - Completed form titled "Professional Engineering Experience Verification" which includes not only work experience information and details but also verifications of work experience by supervisors or other verifiers.

(iii) Verification of licensing in any other jurisdiction(s), if any.

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(iv) Verification of passing the FE examination or its equivalent (if any) and verification of passing the PE examination or its equivalent (if any).

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WAC 196-12-020 Work experience records. The following criteria will be used in evaluating an applicant's experience record:

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(1) Work experience will be approved based on a demonstration of competency and progressive responsibility in

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the analysis, synthesis and evaluation of engineering concepts and data, under the direct supervision of a person authorized by chapter 18.43 RCW or other applicable statute to practice engineering. Under the general guidance and direct supervision of an authorized professional, the applicant must be in a position of making independent judgments and decisions in the following experience areas:

- (a) Formulating conclusions and recommendations;
- (b) Identifying design and/or project objectives;
- (c) Identifying possible alternative methods and concepts;
- (d) Defining performance specifications and functional

requirements;

- (e) Solving engineering problems;

(f) Interacting with allied professionals ~~from other areas of practice;~~

(g) Effectively communicating recommendations and conclusions;

(h) Demonstrating an understanding and concern for energy/environmental considerations, socioeconomic impact, and sustainability of resources.

~~(2) The branch of structural engineering requires specialized work experience to protect the public safety. To be eligible to take the structural license examination, an applicant must have at least two years of progressive responsibility in structural engineering experience. These two years of structural experience are in addition to the eight years of engineering experience required to be registered as a professional engineer and must be documented in the application in accordance with subsection (1) of this section. The structural engineering experience must be supervised by a licensed professional engineer in the branch of structural engineering or a licensed professional engineer with substantial structural engineering work experience.~~

(~~3~~2) Engineering teaching may be considered satisfactory experience up to a maximum of two years at the discretion of the board.

(~~4~~3) Applied research is considered satisfactory experience when it meets the following conditions:

(a) The research must be conducted under the guidance or supervision of a licensed professional engineer. For the

purposes of this subsection, guidance or supervision means being cognizant of all applicable aspects of the work and a reviewer of all applicable reporting documentation.

(b) The principal result(s) of the research are in a published report or a recognized engineering journal article in which the applicant is the ~~first~~primary author or the work is adequately documented and available to the board upon request.

~~(5.4)~~ For military engineering experience to be considered acceptable, it should be similar to engineering experience that would be gained in a nonmilitary environment as defined in subsection (1) of this section, and such experience must be verified.

~~(6) Any work experience gained without the supervision of a professional engineer authorized to practice under chapter 18.43 RCW or an individual authorized by another statute to practice engineering, or any work experience gained in any other situation which violates the provisions of chapters 18.43 and 18.235 RCW or Title 196 WAC will not be counted toward the statutory experience requirement.~~

WAC 196-12-021 Education experience records. Official transcripts must be sent to the board's office for ~~full education experience credit review and approval.~~

(1) A baccalaureate degree in engineering in a program accredited by ~~the engineering accreditation commission (EAC)~~ of the accreditation board for engineering and technology (ABET) is equivalent to four years of required experience. Satisfactory completion of each year of such an approved program is equivalent to one year of experience.

~~(2) A baccalaureate degree in an engineering technology program accredited by the technology accreditation commission (TAC) of ABET, is equivalent to three years of required experience. Satisfactory completion of each year of such an approved program is equivalent to three-fourths of one year of experience.~~

~~(3) An A degree in engineering from approved four years in a non-ABET accredited engineering program will may be given a maximum of three years of experience 4 years at the discretion of the board. The board will determine if the degree is satisfactory to the board to award years of experience.~~

(43) No more than one year may be granted for postgraduate engineering courses ~~for those applicants having earned degrees in accordance with subsections (1), (2), or (3) of this section.~~

(54) A baccalaureate degree in a non-engineering program will be given a maximum of two years of experience.

~~If the degree is followed by a graduate degree in engineering from a school that has an ABET accredited undergraduate program in the same discipline as the graduate degree, a maximum of four years of experience may be granted for this combination of education.~~

(65) An associate degree in engineering from an approved program may be equivalent for up to two years of experience.

(76) ~~Education gained over time where no degree is conferred will be granted no more than two years of experience. For the purpose of this subsection, education over time means:~~
Sporadic engineering related education may be considered as experience by the board at its discretion. For example, ~~one one~~ or two engineering classes taken at a time, often at different schools; ~~seminars, workshops, and/or~~ classes taken through industry ~~and or~~ the military may count as experience. In ~~order~~

~~to determine the appropriate amount of experience, evaluating~~
this type of education the board will ~~be compared~~ the courses
taken to college coursework in a baccalaureate of engineering
~~technology~~ degree program.

~~(8) The board may approve engineering degree programs from~~
~~other countries.~~

(a) A number of foreign degree programs are included in
mutual recognition agreements entered into by ABET with other
accrediting authorities. Applicants with a degree from one of
these programs will be evaluated ~~in accordance with subsections~~
~~(1) and (2) of this section~~ by the board.

(b) Applicants having engineering degrees from programs in
countries that are not ABET accredited will be required to have
their transcripts evaluated by a transcript evaluation service
approved by the board. This evaluation will be performed at the
applicant's expense, and the applicant will be responsible for
submitting all necessary information to the evaluation service.
The board will use the evaluation to determine if the foreign
degree is ~~equivalent to an ABET accredited degree~~ satisfactory to
the board to award years of experience. ~~If the board determines~~

~~that the degree is equivalent, experience will be granted in accordance with subsection (1) or (2) of this section. If the board determines that the foreign degree is not equivalent to an ABET accredited degree, then a maximum of three years of experience will be granted in accordance with subsection (3) of this section.~~

(c) An applicant with an undergraduate degree from a foreign program that is not ABET accredited, can waive the requirement for a degree evaluation if they have a graduate degree in engineering from a school that has an ABET accredited undergraduate engineering degree program in the same discipline as the graduate degree. ~~No more than four years of experience will be granted for this combination of education~~Years of experience will be determined at the discretion of the board.

~~(9)~~ Any other education ~~will~~may be taken into account and evaluated on its merits by the board.

(10) Work experience gained between semesters or quarters or during summers while enrolled in an approved curriculum ~~will be considered part of the educational process. No more than one~~

~~year of experience will be granted for one calendar year~~may be counted as experience at the discretion of the board.

WAC 196-12-030 ~~Principles and practice~~Additional branches of engineering examination. ~~The principles and practice of engineering examination is given at times and places as approved by the board.~~ A professional engineer with a current registration in the state of Washington that is seeking to become licensed in an additional branch of engineering must pass the principles and practice examination for that additional branch.

WAC 196-12-045 Registration of applicants licensed in other jurisdictions. Licenses may be issued only in the branches of engineering ~~offered~~currently recognized by the board. The board has discretion to issue a license to an out-of-state licensee who meets the following requirements:

(1) Completes ~~an~~the application ~~on~~forms provided by the board including supporting documentation, as listed in WAC 196-12-010, WAC 196-12-014, WAC 196-12-020, WAC 196-12-021, and pays the appropriate fee;

(2) Holds a currently valid license in a board recognized licensing jurisdiction in a state, territory, possession, district, or foreign country; and

(3) Meets minimum requirements for licensure as determined by the board under WAC 196-12-010 and WAC 196-12-014, including testing that adequately measures the fundamentals of engineering and principles and practice of engineering.

WAC 196-12-047 Structural licensing requirements. The branch of structural engineering requires specialized work experience to protect the public health, safety, and welfare. To be licensed as a structural engineer, an applicant must:

(1) Be licensed as a professional engineer in Washington state;

(2) Have at least two years of progressive responsibility in structural engineering experience in addition to the eight years of engineering experience required to be registered as a professional engineer. The structural experience should:

(a) Demonstrate the applicant's ability to design building structures or nonbuilding structures integrated within "significant structures" as defined in RCW 18.43.020(11) and

located in International Building Code (IBC) Seismic Design Category D or above;

(b) Be progressive in difficulty and magnitude;

(c) Demonstrate breadth and depth of seismic design subject matter;

(d) Incorporate two of the four common construction materials (steel, concrete, wood, and masonry);

(e) Reflect ability to design and apply structural engineering principles that show sound judgment on projects involving public health, safety, and welfare;

(f) Be supervised by a licensed professional engineer in the branch of structural engineering or a licensed professional engineer with substantial structural engineering work experience; and

(3) Pass a board approved structural exam.)

Commented [GS(1): Being worked on by the Structural Committee.

WAC 196-12-055 Permit for temporary practice. Any

nonresident engineer who intends to practice engineering in the state of Washington on a temporary basis must provide the board with the following before starting any work:

(1) A completed application with applicable fees.

(2) Dates work is to be started.

(3) Name and address of client.

(4) Description and location (address) of project.

(5) Name and contact information for local permitting authority.

Plans, specifications, and reports prepared by the nonresident engineer must be signed, dated, and stamped with their professional seal. A copy of the permit issued by this board shall be attached to the engineering documents submitted for approval or building permit.

WAC 196-12-065 Retired status. A professional engineer having reached the age of sixty-five and having discontinued active practice as a professional engineer may be eligible for retired status. "Active practice" is defined as exercising direct supervision and control over any professional engineering activity as defined in RCW 18.43.020(5).

(1) Request for retired status. Upon approval, a request for retired status will be granted effective the next scheduled renewal date.

(2) A licensee on retired status may:

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(a) Retain the board issued wall certificate of registration;

(b) Use the title "retired professional engineer: or "PE-retired" or "SE-retired" as appropriate;

(c) Work as an engineer in a volunteer capacity, provided that the retired licensee does not create an engineering document or use their seal;

(d) Provide experience verifications and references for persons seeking registration;

(e) Serve as an instructor for engineering related courses;

(f) Provide services as a technical expert before a court, or in preparation for pending litigation, on matters directly related to engineering work performed by the licensee;

(g) Serve in a function that supports the principles of registration and/or promotes the profession of engineering, such as members of commissions, boards or committees;

(h) Serve in an engineering capacity as a "good samaritan."
The state laws governing such activity are RCW 38.52.195 and 38.52.1951 and chapter 18.43 RCW.

(3) A licensee on retired status must not:

(a) Perform any engineering activity, as provided for in RCW 18.43.020(5), unless the activity is under the direct supervision of a licensed professional engineer with an active registration in Washington;

(b) Act as the designated engineer for a corporation or limited liability company;

(c) Apply their professional engineers seal to any plan, specification, ~~plat~~ or report.

(4) Certificate of registration reinstatement. A retired licensee may resume active engineering practice with payment of the current renewal fee.

(5) Exemptions. A licensee is not eligible for retired status if their license to practice is under board ordered sanction. This exemption exists until the sanctions have been lifted or satisfied by the board.

WAC 196-09-010 Declaration of purpose. This chapter contains rules and administrative procedures for regular and special meetings, enforcement and adjudicative proceedings, public records and other activities of held by the board, board members and board staff in executing its-their responsibilities under chapter 18.43 RCW and chapter 18.210 RCW.

[Statutory Authority: Chapters 18.43 and 18.235 RCW. WSR 04-04-001, § 196-09-010, filed 1/21/04, effective 2/21/04. Statutory Authority: RCW 18.43.035. WSR 98-12-045, § 196-09-010, filed 5/29/98, effective 7/1/98.]

NEW SECTION

WAC 196-09-011 Definitions. The following definitions shall apply to this chapter:

1) "Administrative Review" means an objective review of an initial enforcement or licensing decision made by board staff, to which any person adversely affected by such a decision is entitled by law.

2) "Adjudicative proceedings" are processes of administrative review provided by the board and may be either a formal hearing before the full board including witness testimony or a simplified review by a single presiding officer without witness testimony.

3) "Board administrative staff" or "board staff" means staff who perform the day-to-day operations and administration

for the board and who may make preliminary decisions on licensing and enforcement matters.

4) "Case manager" means a board member who provides expertise and works with board staff on a specific licensing or enforcement matter and who will not participate in a judicial capacity on that matter.

5) "Respondent" means the person who has been named in a complaint and ~~in~~ may request an administrative review of a board staff decision as described herein.

6) "Presiding Officer" means a member of the board who may preside over a full board hearing, conduct pre-hearing conferences, or perform a brief adjudicative proceeding.

NEW SECTION

WAC 196-09-012 Complaint processing approach. The board processes complaints as follows:

(1) Anyone may submit a complaint against a licensed or unlicensed person alleging unprofessional conduct, unlicensed practice, or any other violation of Chapter 18.43 or Chapter 18.210 RCW. Complaints must be sworn to in writing and should include documentation of the alleged conduct.

(2) Upon receipt of the complaint, board staff will send an acknowledgement of the complaint to the complainant. If the subject of the complaint ("respondent") is a licensee, the board will notify the licensee respondent that a complaint was filed

against them and include a copy of the complaint documents.

(3) Board staff will conduct an initial review of the complaint to determine whether the complaint raises a potential violation that would fall within the jurisdiction and purview of a potential board action.

a. If board staff determines there are no violations, the complaint is administratively closed, and the parties are notified.

b. If board staff determines there is a potential violation, a formal investigation is opened, and an investigator and case manager are assigned. The respondent is notified, and a response to the allegations is requested.

(4) The case manager will evaluate all documentation or comments received (the investigation file), may ask questions or call for further investigation. When the case manager completes their review of the documentation, they will draft a written report, which will result in either case closure, remedial counseling, expedited resolution or issuance of statement of charges.

(5) The board may resolve a complaint or investigation at any time during this process.

NEW SECTION

WAC 196-09-013 Right to Administrative Review. When the board makes an enforcement or licensing decision that negatively affects a licensee, applicant or unlicensed practitioner under Chapters 18.43 and 18.210 RCW, that person is entitled to request administrative review of the decision pursuant to the Administrative Procedures Act, Chapters 34.05 RCW and 10-08 WAC.

WAC 196-09-020 -Adjudicative proceedings. The administrative procedures act ~~Chapters-chapters~~ 34.05 RCW and 10-08 WAC apply to all adjudicative proceedings under the jurisdiction of the board. ~~The procedures described in Washington superior court civil rules 26 through 32, 34, 36 and 37 also apply.~~

Administrative review is performed by one of the following types of adjudicative proceedings:

1) A formal adjudicative hearing before the entire board with the presentation of witness testimony and/or documentary evidence; or

2) A brief adjudicative proceeding (BAP) before a single presiding officer, which may be used for the review of simple matters where no witness testimony is needed.

3) An emergency adjudicative proceeding under RCW 34.05.479 which may be used when there is an immediate danger to the public health, safety, or welfare requiring immediate board action.

[Statutory Authority: RCW 18.43.035. WSR 98-12-045, § 196-09-020, filed 5/29/98, effective 7/1/98.]

WAC 196-09-050 Brief adjudicative proceedings. (1) The board ~~will~~ may conduct brief adjudicative proceedings as provided ~~for~~ in RCW 34.05.482 through 34.05.494 of the Administrative Procedure Act. ~~Brief adjudicative proceedings may be used whenever a statement of charges, notice of intent to issue a cease and desist order, or temporary cease and desist order alleges violations of chapters 18.43, 18.210, and 18.235 RCW, administrative rules in Title 196 WAC or any statutes or rules that specifically govern the defined practices of engineering, land surveying and on-site wastewater treatment system designs. Brief adjudicative proceedings may also be used in place of formal adjudicative hearings whenever the board issues a statement of charges, notice of intent to issue a cease and desist order, or temporary cease and desist order alleging~~

~~that an applicant or licensee's conduct, act(s), or condition(s) constitute unlicensed practice or unprofessional conduct as that term is defined under chapter 18.235 RCW, the Uniform Regulation of Business and Professions Act.~~

(2) Brief adjudicative proceedings may only be ~~used to determine~~allowed when a respondent challenges the following ~~issues, including, but not limited to~~categories of board decisions:

(a) A denial of an application for licensure, including renewal, reinstatement, or denial of eligibility to take examinations.

~~(b) A denial of application for whether an applicant has satisfied terms for reinstatement of a license after a period of license restriction, suspension, or revocation;~~

~~(b) Whether an applicant is eligible to sit for a professional licensing examination;~~

~~(c) Whether a sanction proposed by the board is appropriate based on the stipulated facts;~~

~~(d) Whether an applicant meets minimum requirements for an initial or renewal application;~~

~~(c) Whether an applicant has failed the professional licensing examination;~~

~~(f)c) Whether A finding that a licensee has sufficient failed to meet continuing education credits professional development requirements when the licensee submits a renewal application;~~

~~(g) Whether an applicant or licensee failed to cooperate in an investigation by the board;~~

~~(h) Whether an applicant or licensee was convicted of a crime that disqualifies the applicant or licensee from holding the specific license sought or held;~~

~~(d) Whether an applicant or A finding that a licensee has violated the terms of a final order or agreed order issued by the board or the board's designee;~~

~~(j)e) Whether A finding that a person has engaged in false, deceptive or misleading advertising; or engaged in unlicensed practice.~~

~~(k) Whether a person has engaged in unlicensed practice.~~

~~(3) In addition to the situations enumerated in subsection (2) of this section, the board may conduct brief adjudicative~~

~~proceedings instead of formal adjudicative hearings whenever the parties have stipulated to the facts and the only issues presented are issues of law, or whenever issues of fact exist but witness testimony is unnecessary to prove or disprove the relevant facts.~~

[Statutory Authority: RCW 46.01.110 and 2018 c 199. WSR 18-21-028, § 196-09-050, filed 10/5/18, effective 11/5/18. Statutory Authority: RCW 18.43.035 and chapter 18.235 RCW. WSR 06-11-121, § 196-09-050, filed 5/19/06, effective 6/19/06. Statutory Authority: Chapters 18.43 and 18.235 RCW. WSR 04-04-001, § 196-09-050, filed 1/21/04, effective 2/21/04.]

WAC 196-09-055 Records required for brief adjudicative

proceeding. The records for the brief adjudicative proceeding

~~shall~~ may include but are not limited to:

(1) ~~Renewal or reinstatement of~~ License related denials:

~~(a)~~ All correspondence, including emails, between the applicant or respondent and the board staff regarding an initial determination including about the renewal or reinstatement;

~~Copies~~ copies of applications, renewal notice(s), denials, appeals. ~~sent by the department of licensing to the licensee;~~

~~•(b)~~ All documents received by the board from or on behalf of the applicant, licensee or respondent relating to information, payments, or explanations that have been provided to the board.

~~(2) Applicants for certification/licensing:~~

~~• Original complete application with all attachments as submitted by the applicant;~~

~~•(c)~~ Copies of all supplementary information related to application or complaint review by staff or board members;

~~•(d)~~ All documents relied upon by board staff in reaching the initial ~~determination of ineligibility;~~

~~• All correspondence between the applicant and the board about the application or appeal.~~

(e) Any other information that may be of assistance to the presiding officer in deciding the case.

~~(32)~~ Determination of compliance with previously issued board order:

~~•(a)~~ The previously issued final order or agreement;

~~(b)~~ All reports or other documents submitted by, or at the direction of, the license holder, in full or partial fulfillment of the terms of the final order or agreement;

~~(c)~~ All correspondence between the license holder and the ~~programboard~~ regarding compliance with the final order or agreement; and

~~(d)~~ All documents relied upon by the ~~programboard~~ showing that the license holder has failed to comply with the previously issued final order or agreement.

[Statutory Authority: RCW 46.01.110 and 2018 c 199. WSR 18-21-028, § 196-09-055, filed 10/5/18, effective 11/5/18. Statutory Authority: RCW 18.43.035 and chapter 18.235 RCW. WSR 06-11-121, § 196-09-055, filed 5/19/06, effective 6/19/06. Statutory Authority: Chapters 18.43 and 18.235 RCW. WSR 04-04-001, § 196-09-055, filed 1/21/04, effective 2/21/04.]

WAC 196-09-060 Procedures for brief adjudicative

proceedings. A brief adjudicative proceeding ~~shall be held under the supervision of~~ is conducted by a presiding officer as designated by the board chair. The presiding officer shall have knowledge and experience in the administrative processes of the board and the requirements of the provisions for a brief

adjudicative proceeding as provided ~~for~~ in chapter 34.05 RCW and WAC 196-09-050 through 196-09-060, but shall not have participated in the determination or action under review. Except as may be otherwise required by the presiding officer, the following procedures shall apply:

(1) ~~The petitioner~~Both parties shall ~~present petitioner's position in writing in accordance with the process and schedule established~~provide any written statements, explanations, documents, emails, and other information they feel might be relevant as instructed by the presiding officer.

(2) In unique circumstances, during the administrative review, ~~The the~~ presiding officer may ~~accept~~ask questions and take oral testimony and/or argument of the respondent and the board staff, as necessary to supplement the record.

(3) No other witnesses may appear to testify. If the presiding officer determines that witnesses are needed in order to make a decision, the proceeding will be converted into a formal hearing.

(4) ~~In addition to the written record, the~~ The presiding officer may ~~employ agency expertise as a basis for the~~

~~decision~~convert the brief adjudicative proceeding into a formal hearing if they determine, for any reason, that a formal hearing is needed.

(5) At the time any unfavorable action is taken ~~the~~ presiding officer ~~will not issue an oral order at the time of the brief adjudicative proceeding~~may serve upon each party a preliminary brief statement of the reasons for the decision. Within ten (10) days of the ~~final date established by~~preliminary statement, the presiding officer ~~for receipt of additional materials and/or oral arguments, if any, the presiding officer will enter~~shall give the parties a written ~~initial~~ order containing the findings and conclusions supporting the decision and information about any internal administrative review available.

(6) The brief written statement is an initial order. If no review is taken of the initial order as authorized by RCW 34.05.488 and 34.05.491, the initial order shall be the final order.

[Statutory Authority: Chapters 18.43 and 18.235 RCW. WSR 04-04-001, § 196-09-060, filed 1/21/04, effective 2/21/04.]

WAC 196-09-100 Investigative cost reimbursement. The reimbursement of investigative costs may be ordered by the board if the adjudicative process has resulted in a Board Order. ~~finding by the board that identifies conduct which is considered misconduct or malpractice and is contained in an agreed order or has resulted in the suspension or revocation of the license to practice.~~ Costs subject to reimbursement are those expenses paid by the board during the investigation process, such as expert or consultant witness contracts.

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In addition, the disciplinary authority may impose a civil fine in an amount not exceeding one thousand dollars for each day upon which the person engaged in the unlicensed practice of a profession or operation of a business for which a license is required by one or more of the chapters specified in RCW 18.235.020; chapter 18.43 RCW and chapter 18.210 RCW.

[Statutory Authority: Chapters 18.43 and 18.235 RCW. WSR 04-04-001, § 196-09-100, filed 1/21/04, effective 2/21/04.]

WAC 196-09-110 Cooperation with board investigation. In the course of an investigation and request by the board under its authority in chapter 18.43 RCW, a licensee or registrant

must provide access to any papers, records, or documents in their possession or accessible to them that pertain to the allegations in a complaint or investigation, and may provide a written explanation addressing such complaint/investigation or other information requested by the board. A facility related to a complaint or investigation shall be made accessible by the licensee during regular business hours.

[Statutory Authority: Chapters 18.43 and 18.235 RCW. WSR 04-04-001, § 196-09-110, filed 1/21/04, effective 2/21/04.]

WAC 196-09-120 Meetings and officers. All meetings of the board are held in accordance with the Open Public Meetings Act, chapter 42.30 RCW. The Washington state board of registration for professional engineers and land surveyors shall hold its annual meeting in the third week of June each year. All other meetings of the board are held at such times and places as the board may deem necessary.

At the annual meeting the board shall elect a chair and vice chair to hold office for one year commencing July 9. Any resignation from the position of chair shall be filled for the remainder of the term by the vice chair.

[Statutory Authority: RCW 18.43.035. WSR 10-05-016, § 196-09-120, filed 2/4/10, effective 3/7/10. Statutory Authority: Chapters 18.43 and 18.235 RCW. WSR 04-04-001, § 196-09-120, filed 1/21/04, effective 2/21/04.]

WAC 196-09-130 Board member limitations—Contract

selection. (1) When a member of the board of registration for professional engineers and land surveyors (Board) is beneficially interested, directly or indirectly, in a contract, sale, lease, purchase or grant that may be made by, through, or is under the supervision of the board in whole or in part, or when the member accepts, directly or indirectly, any compensation, gratuity, or reward from any other person beneficially interested in such contract, sale, lease, purchase or grant, the member must:

(a) Exclude him or herself from the board discussion regarding the specific contract, sale, lease, purchase or grant;

(b) Exclude him or herself from the board vote on the specific contract, sale, lease, purchase or grant; and

(c) Refrain from attempting to influence the remaining board members in their discussion and vote regarding the specific contract, sale, lease, purchase or grant.

(2) The prohibition against discussion set forth in sections (a) and (c) may not prohibit the member of the board from using his or her general expertise to educate and provide general information on the subject area to the other members.

~~(3) Under subsection (1), "any other person" has a beneficial interest in a contract, sale, lease, purchase or grant when the other person bids or otherwise seeks to be awarded the contract, sale, lease, purchase or grant.~~

EXAMPLE:

~~The board is composed of licensed professional engineers (PE) and professional land surveyors (PLS). A licensed PE member of the board is employed by a company, which conducts forensic evaluations for the purpose of determining whether an engineering design was properly performed. The board is in the process of selecting a contractor to conduct an evaluation of said engineering design for the board's use during disciplinary activities. The company that employs the PE member of the board has responded to the board's RFP.~~

~~The PE member of the board may use his general expertise regarding the performance of forensic evaluations to educate the~~

~~board as to the general elements of such review. The member is prohibited from participating in the board's discussion, decision and vote for selecting a contractor.~~

[Statutory Authority: RCW 18.43.035. WSR 06-22-032, § 196-09-130, filed 10/25/06, effective 11/25/06.]

WAC 196-09-131 Board member limitations-board

~~Transactions.~~ (1) When a member of the board of registration for professional engineers and land surveyors (Board) either owns a beneficial interest in or is an officer, agent, employee or member of an entity or individual, which is ~~engaged in a transaction involving the~~subject to a board action, the member must:

(a) ~~Exclude-Recuse~~ him or herself from the board discussion regarding the specific ~~trans~~action;

(b) ~~Exclude-Recuse~~ him or herself from the board vote on the specific ~~trans~~action; and

(c) Refrain from attempting to influence the remaining board members in their discussion and vote regarding the specific ~~trans~~action.

(2) The prohibition against discussion and voting set forth in sections (a) and (c) may not prohibit the member of the board from using his or her general expertise to educate and provide general information on the subject area to the other members.

(3) (a) ~~"Board Transaction" involving the board means amay include any of the following: an investigation or adjudicative proceeding; application, application or submission; request for a ruling or other determination; contract, claim, case, or other similar matter that the member in question believes, or has reason to believe:~~

~~(i) Is, or will be, the subject of board action; or~~

~~(ii) Is one to which the board is or will be a party; or~~

~~(iii) Is one in which the board has a direct and substantial proprietary interest.~~

~~(b) "Transaction" involving the board does not include the following: Preparation, consideration, or enactment of legislation, including appropriation of moneys in a budget, or the performance of legislative duties by a member; or a claim, case, lawsuit, or similar matter if the member did not participate in the underlying transaction involving the board~~

~~that is the basis for the claim, case, or lawsuit. Rule making is not a "transaction" as described in this subsection.~~

~~(4) "Board action" means any action on the part of the board including, but not limited to:~~

~~(a) A decision, determination, finding, ruling, or order;~~
~~and/or~~

~~(b) A monetary grant, payment, or award, ~~license, contract, transaction, sanction, or approval, or the denial thereof, or failure to act with respect to a decision, determination, finding, ruling, or order.~~~~

~~**EXAMPLE:**~~

~~The board may discipline engineers or land surveyors for incompetence in their practice in Washington. The board is conducting an investigation involving questionable surveying services provided by a county engineer's office. One of the members of the board sits on that county's planning commission. The member must exclude him or herself from any board investigation, discussion, deliberation and vote with respect to disciplinary actions arising from the investigation.~~

[Statutory Authority: RCW 18.43.035. WSR 06-22-032, § 196-09-131, filed 10/25/06, effective 11/25/06.]

WAC 196-09-135 Reporting of board member recusal. (1) If exclusion or recusal occurs pursuant to WAC 196-09-130 or 196-09-131, the member of the board should disclose to the public the reasons for his or her exclusion or recusal from any board action whenever ~~recusal-it~~ occurs. The board staff should record each instance of exclusion or recusal and the basis for ~~the exclusion-it~~ in the minutes of the board meetings.

[Statutory Authority: RCW 18.43.035. WSR 06-22-032, § 196-09-135, filed 10/25/06, effective 11/25/06.]

(New section)

WAC 196-09-150 Public records. All public records of the board are available for public inspection and copying pursuant to these rules and applicable state law (chapter 42.56 RCW), as follows:

(1) Inspection of records. Public records are available for inspection and copying during normal business hours of the office of the Washington State Board of Registration for Professional Engineers and Land Surveyors. Records may be inspected at the board's office when the requestor has been notified of the availability of the requested documents and an appointment is made with the public records officer.

(2) Records index. An index of public records, consisting of the retention schedules applicable to those records, is available to members of the public at the board's office.

(3) Organization of records. The board maintains its records in a reasonably organized manner. The board will take reasonable actions to protect records from damage and disorganization. A requestor shall not take original records from the board's office. A variety of records are also available on the board's website at <https://brpels.wa.gov/>. Requestors are encouraged to view the documents available on the website prior to submitting a public records request.

(4) Making a request for public records.

(a) Any person wishing to inspect or obtain copies of public records should make the request using the board's public records request form available on the board's website or in writing by letter or email addressed to the public records officer. Written requests must include the following information:

(i) Date of the request;

(ii) Name of the requestor;

(iii) Address of the requestor and other contact information, including telephone number and any email addresses;

(iv) Clear identification of the public records requested to permit the public records officer or designee to identify and locate the records.

(b) The public records officer may also accept requests for public records by telephone or in person. If the public records

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officer or designee accepts an oral or telephone request, he or she will confirm receipt of the request and the details of the records requested, in writing, to the requestor.

(c) If the requests received in (a) or (b) of this subsection are not sufficiently clear to permit the public records officer to identify the specific records requested, the public records officer will request clarification from the requestor in writing.

(d) If the requestor wishes to have copies of the records made instead of simply inspecting them, he or she should make that preference clear in the request. Copies will be made by the board's public records officer or designee.

(e) When fulfilling public records requests the board will perform its public records responsibilities in the most expeditious manner consistent with the board's need to fulfill its other essential functions.

(f) By law, certain records and/or specific content of any specific record or document may not be subject to public disclosure. Accordingly, a reasonable time period may occur between the date of the request and the ability of the public records officer to identify, locate, retrieve, remove content not subject to disclosure, prepare a redaction log that includes the specific exemption, a brief explanation of how the exemption applies to the records or portion of the records being withheld, and produce the records for inspection and/or copying. The requestor will be kept informed of the expected delivery timetable.

(g) If the request includes a large number of records, the production of the records for the requestor may occur in installments. The requestor will be informed, in writing, of the board's anticipated installment delivery timetable.

(h) In certain instances, the board may notify affected third parties to whom the record relates. This notice allows the affected third party to seek an injunction within fifteen days from the date of the written notice. The notice further provides that release of the records to the requestor will be honored unless timely injunctive relief is obtained by the affected third party on or before the end of the fifteen-day period.

(i) Requests for lists of credentialed individuals by educational organizations and professional associations: In order to obtain a list of individuals under the provisions of RCW 42.56.070(9), educational organizations and professional associations must provide sufficient information to satisfy the board that the requested list of individuals is primarily for educational and professionally related uses.

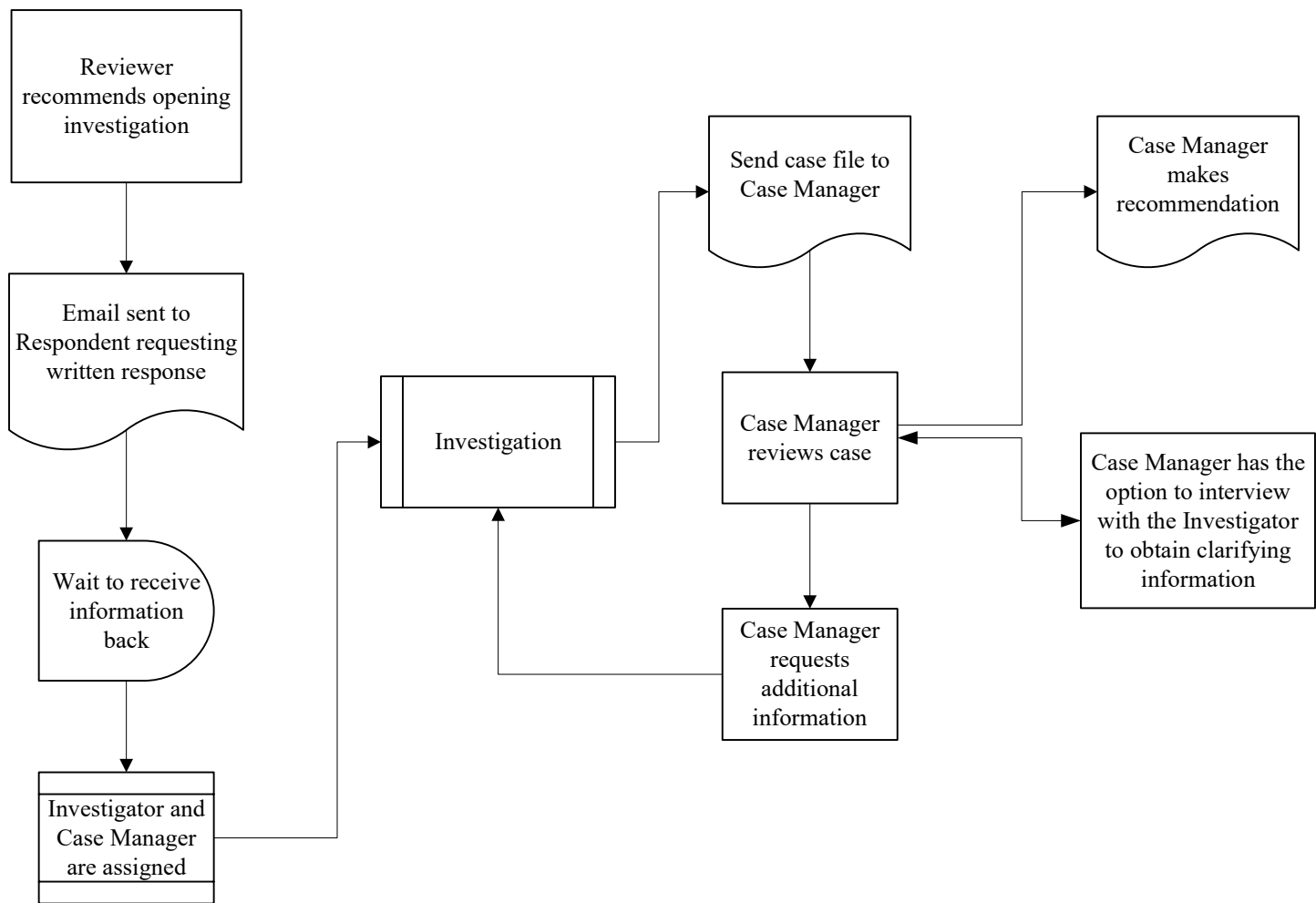
Board forms are available on the board's website or upon request.

NEW SECTION

WAC 196-09-160 Change of Address - Board Notification. All licensees in this state must notify the board **in writing** within thirty days of any change of mailing address or email address. Corporations and LLCs licensed in this state must notify the

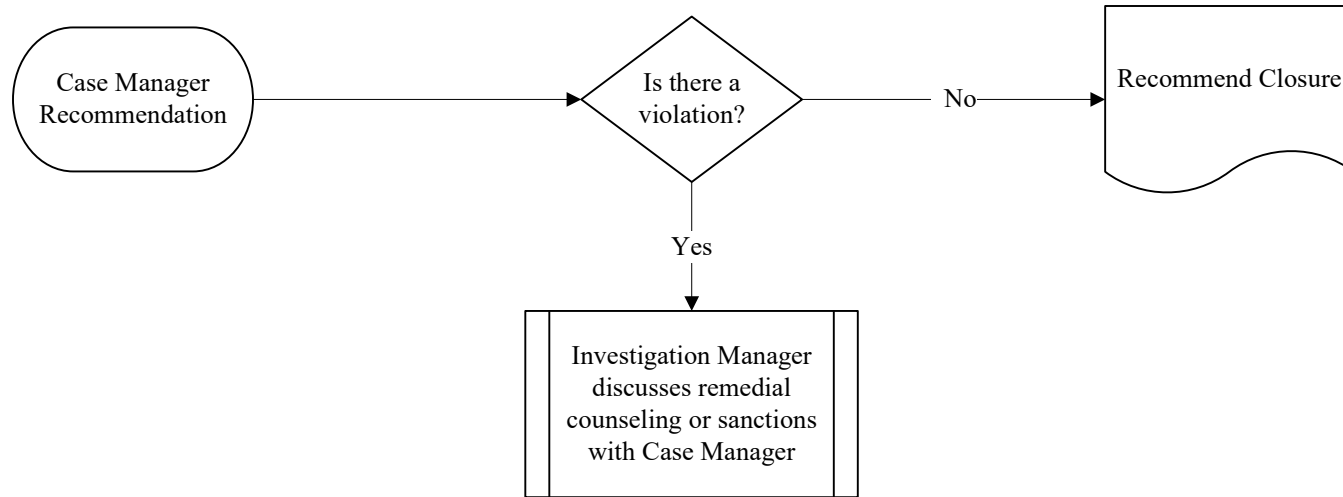
board of any opening, closing, or relocation of the main office
or a branch office in this state.

Investigative Process Approach



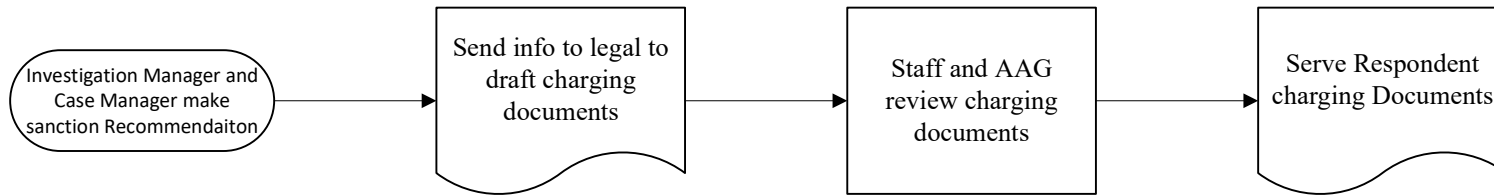
Case Status updates email sent to Complainant and Respondent every three months until closure. A Settlement Conference may occur at any time in these processes which may result in closure.

Case Manager Recommendation Approach



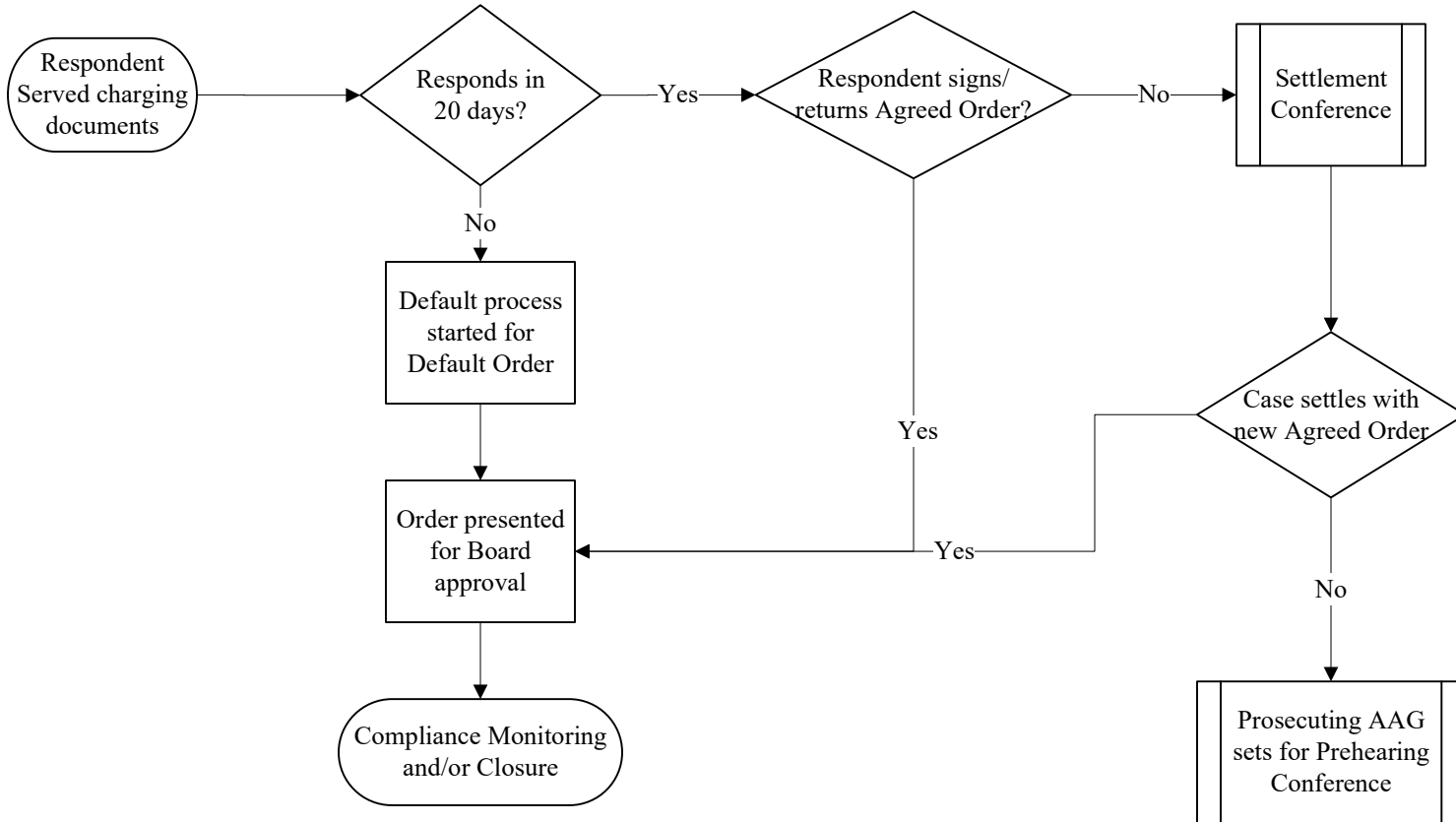
Case Status updates email sent to Complainant and Respondent every three months until closure.
A Settlement Conference may occur at any time in these processes which may result in closure.

Sanction Recommendation Approach



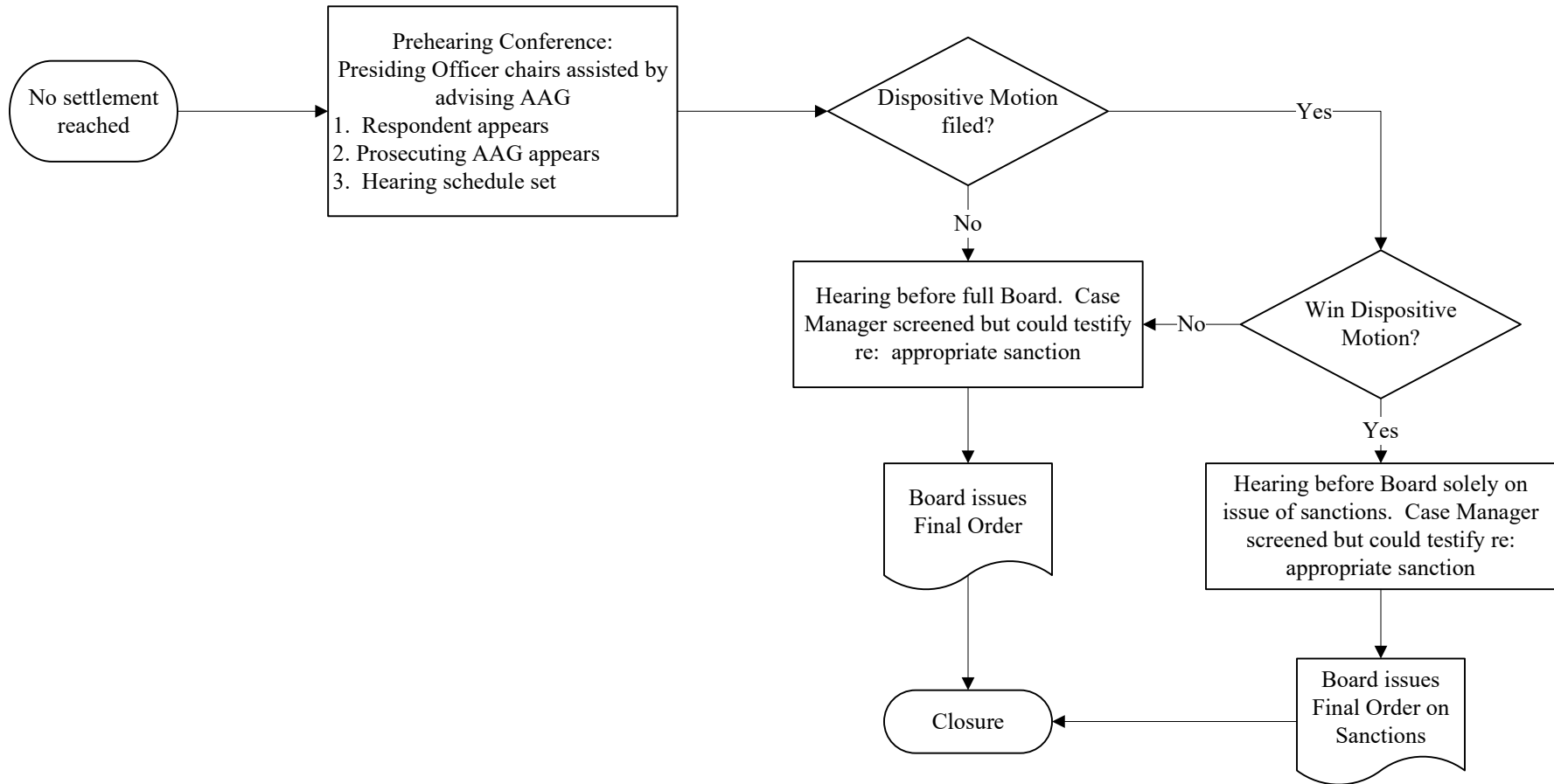
Case Status updates email sent to Complainant and Respondent every three months until closure.
A Settlement Conference may occur at any time in these processes which may result in closure.

Legal Process I Approach



Case Status updates email sent to Complainant and Respondent every three months until closure.
A Settlement Conference may occur at any time in these processes which may result in closure.

Legal Process II Approach



Case Status updates email sent to Complainant and Respondent every three months until closure.
A Settlement Conference may occur at any time in these processes which may result in closure.



STATE OF WASHINGTON
**BOARD OF REGISTRATION FOR
PROFESSIONAL ENGINEERS AND LAND SURVEYORS**
P.O. BOX 9025 • OLYMPIA, WASHINGTON 98507

Board Staff (360) 664-1575
Fax (360) 664-2551
Web Site dol.wa.gov

**COMPLAINT PROCESSING
BOARD POLICY**


Upon receipt of a written complaint, the Board may conduct a preliminary investigation to determine one of the following:

- A. The complaint fails to present material or allegations that are within the jurisdiction of the Board. The complaint is dismissed.
- B. The complaint fails to present clear documentation of violations but references violations that could justify an investigation. A determination regarding the complaint may be postponed by the Board for one or more of the following conditions:
 - Awaiting additional information or follow-up with Complainant or Respondent.
 - Complaint information is under preliminary review by a Board member to determine if a rule or law under jurisdiction of the Board may have been violated.
 - Awaiting additional follow up investigation or information by staff.
- C. The complaint represents potential violations of chapter 18.43 RCW, 18.210 RCW, 18.235 RCW or other law/rules under Board authority. Investigation will be opened.

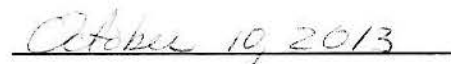
If a complaint or investigation is reconsidered, the Board will do so under the following conditions:

- The complainant has submitted additional evidence and/or information in support of the original complaint that is relevant to the allegations.
- A Board member requests reconsideration.

Approved:


Stephen Shrope, PE, SE
Board Chair

Date:



This policy supersedes any versions of content or title approved by the Board prior to this date.



STATE OF WASHINGTON
**BOARD OF REGISTRATION FOR
 PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

Board Staff (360) 664-1575
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 Web Site dol.wa.gov

P.O. BOX 9025 (Correspondence) • P.O. BOX 9048 (Remittance)
 OLYMPIA, WASHINGTON 98507

INCIDENTAL SURVEYING PRACTICE

Board Policy

Since 1947 the Board of Registration for Professional Engineers and Land Surveyors has apparently instructed Professional Engineers that it was acceptable to the Board for engineers to perform a limited amount of surveying when such work was a direct part of the engineer's design responsibilities.

While there is little established written evidence since that time in the form of an administrative rule, policy or position statement, there are articles where the Board has produced a general response to questions about this practice. That response was most often found in the Board Newsletter and Board Journal.

After thorough study of this subject involving input from stakeholders and comments from the office of the Attorney General, the Board has found that the relationship between some work of professional engineers and the practice of land surveying have a historical and logical connection. This connection is further illustrated by the fact that many professional engineers in the past had some formal instruction in surveying techniques within the academic curriculum for an engineering degree.

It is the Board's Position that it is an allowable activity for professional engineers to perform limited surveying under the following conditions:

1. *That the work performed is limited to the making of field measurements and mapping for the illustration of topographic features.*
2. *That the work performed by the professional engineer is developed for his or her own use toward the development of an engineered design.*
3. *That the work performed by the professional engineer is performed in a manner that is consistent with the topography's intended purpose.*
4. *That the professional engineer is competent and conversant in the techniques to correctly develop and map topographic information.*

Board Policy No.
Incidental Surveying Practice
Adopted July 25, 2007
Page 2 of 2

The Board retains the right to investigate any and all complaints against professional engineers for alleged unlicensed practice of land surveying. However, if a professional engineer undertakes topographic mapping and does so in compliance with the four conditions outlined above, their actions will not be the basis for disciplinary action.

A handwritten signature in cursive script, appearing to read "Daniel Parker", written over a horizontal line.

Daniel Parker, PE, Board Chair

Adopted July 25, 2007.

Board Meeting

Tab 5

Old Business

None

Board Meeting

Tab 6

Director's Report

- Financial Report with Paul Bitar
- Agency Operations
- Other Items

From: Bitar, Paul (DES) <paul.bitar@des.wa.gov>
Sent: Wednesday, April 14, 2021 3:34 PM
To: Moretti, Carmena (BRPELS) <Carmena.Moretti@brpels.wa.gov>
Cc: Fuller, Ken (BRPELS) <Ken.Fuller@brpels.wa.gov>
Subject: March 2021 Financial Report/Projection

Dear Carmena,

I have attached BORPELS' March 2021 financial status and projection reports.

Summary

The information in the reports shows that **BORPELS is in excellent financial condition**. At this time, I project the agency will end the biennium with about \$1 million in its operating account, Fund 024. The balance is more than the amount I projected previously, due to recent communications from DOL stating remaining costs this biennium would only total about \$24k/mo.

Revenue

For the period of July 2019 - March 2021, BORPELS' licensing revenue was \$3.3 million, which is 7% lower than revenue received during the same time period last biennium.

Expenditures

About 55% of the \$4.1 million of expenditures BORPELS has incurred this biennium relate to the Department of Licensing (DOL). The remaining expenditures relate to salary/benefits, goods and services, and travel. Next biennium, DOL costs will be significantly lower, so it is likely that the balance of Fund 024 will begin to increase in the near future.

Remaining monthly DOL expenditures this biennium are expected to be just \$24k/mo, based on recent communications from DOL. Previously, DOL had indicated remaining costs would be \$70k/mo or more.

Let me know if you have any questions.

Thank you,

Paul Bitar ■ Senior Financial Consultant ■ 360.407.8129

DEPARTMENT OF ENTERPRISE SERVICES ■ 1500 JEFFERSON STREET #3019 / MS#41465 ■ OLYMPIA, WA 98504



How are we doing? DES Finance welcomes your [feedback](#)

Bd of Reg-Prof Engineers/Land Surveyors Agency Summary BITD as of March 2021

Category	BI Allotment	BITD Allotment	BITD Expenditures	BITD Variance	BI Variance
Salaries and Wages	788,186	685,044	787,252	(102,208)	934
Employee Benefits	273,614	237,338	279,732	(42,394)	(6,118)
Travel	91,920	80,430	28,073	52,357	63,847
Capital Outlays	3,181	2,767	25,044	(22,277)	(21,863)
Grants, Benefits & Client Services	0	0	2,000	(2,000)	(2,000)
Goods and Services	4,337,099	3,896,238	2,956,925	939,313	1,380,174
Sum:	5,494,000	4,901,817	4,079,026	822,791	1,414,974

Category	FM Allotment	FM Expenditure	FM Variance	BITD Allotment	BITD Expenditures	BITD Variance
Salaries and Wages	34,378	50,383	(16,005)	685,044	787,252	(102,208)
A						
AA State Classified	17,270	38,826	(21,556)	343,194	572,916	(229,722)
AC State Exempt	17,108	10,833	6,275	341,850	192,836	149,014
AE State Special	0	613	(613)	0	11,750	(11,750)
AU Overtime and Call-Back	0	111	(111)	0	9,749	(9,749)
Employee Benefits	12,092	18,320	(6,228)	237,338	279,732	(42,394)
B						
BA Old Age and Survivors Insurance	2,131	3,012	(881)	42,465	47,222	(4,757)
BB Retirement and Pensions	4,421	6,455	(2,034)	88,096	100,120	(12,024)
BC Medical Aid & Industrial Insurance	161	315	(154)	3,156	4,618	(1,462)
BD Health, Life & Disability Insurance	4,880	7,808	(2,928)	93,687	114,417	(20,730)
BH Hospital Insurance (Medicare)	499	704	(205)	9,934	11,044	(1,110)
BK Paid Family and Medical Leave	0	0	0	0	(6)	6
BV Shared Leave Provided Annual Leave	0	0	0	0	2,268	(2,268)
BZ Other Employee Benefits	0	25	(25)	0	50	(50)

<u>Category</u>		<u>FM Allotment</u>	<u>FM Expenditure</u>	<u>FM Variance</u>	<u>BITD Allotment</u>	<u>BITD Expenditures</u>	<u>BITD Variance</u>	
Goods and Services		146,951	(98,273)	245,224	3,896,238	2,956,925	939,313	
E	EA	Supplies and Materials	500	(225)	725	16,500	17,097	(597)
	EB	Communications/Telecommunications	200	1,555	(1,355)	4,200	14,373	(10,173)
	ED	Rentals and Leases - Land & Buildings	5,509	(4,472)	9,981	115,689	100,305	15,384
	EF	Printing and Reproduction	0	1,734	(1,734)	0	6,575	(6,575)
	EG	Employee Prof Dev & Training	2,292	0	2,292	48,132	15,099	33,033
	EH	Rental & Leases - Furn & Equipment	1,083	0	1,083	22,743	9,286	13,457
	EJ	Subscriptions	83	0	83	1,747	1,312	435
	EK	Facilities and Services	3,875	7,438	(3,563)	79,876	103,822	(23,946)
	EL	Data Processing Services (Interagency)	16,802	(13,535)	30,337	352,842	373,370	(20,528)
	EM	Attorney General Services	10,417	(7,889)	18,306	218,757	279,306	(60,549)
	EN	Personnel Services	992	1,075	(83)	19,378	20,123	(745)
	EP	Insurance	88	0	88	3,848	36	3,812
	ER	Other Contractual Services	44,138	(30,581)	74,719	959,538	881,391	78,147
	EY	Software Licenses and Maintenance	58,597	(53,217)	111,814	2,003,113	1,135,570	867,543
	EZ	Other Goods and Services	2,375	(156)	2,531	49,875	(738)	50,613
Travel		3,830	0	3,830	80,430	28,073	52,357	
	GA	In-State Subsistence & Lodging	1,165	0	1,165	24,465	16,481	7,984
	GB	In-State Air Transportation	500	0	500	10,500	2,941	7,559
	GC	Private Automobile Mileage	1,165	0	1,165	24,465	2,930	21,535
	GD	Other Travel Expenses	500	0	500	10,500	1,801	8,699
	GF	Out-of-State Subsistence & Lodging	250	0	250	5,250	2,200	3,050
	GG	Out-of-State Air Transportation	250	0	250	5,250	1,610	3,640
	GN	Motor Pool Services	0	0	0	0	111	(111)
Capital Outlays		138	329	(191)	2,767	25,044	(22,277)	
J	JA	Noncapitalized Assets	138	329	(191)	2,767	25,044	(22,277)
Grants, Benefits & Client Services		0	0	0	0	2,000	(2,000)	
	NZ	Other Grants and Benefits	0	0	0	0	2,000	(2,000)
Total Dollars		197,389	(29,241)	226,630	4,901,817	4,079,026	822,791	

Board of Registration for Professional Engineers and Land Surveyors

Biennium 19-21 Projections

Fund - Operating Account

Revenue Category		Biennium 19-21	Actual	Projected			Projected	Projected
		Revenue Allotments	Revenues through FM21 Mar-2021	FM 22 Apr-2021	FM 23 May-2021	FM 24 Jun-2021	Revenue Total	Variance
Licenses and Fees		4,100,000	3,328,940	158,425	158,425	158,425	3,804,215	(295,785)
Miscellaneous Revenue			37,978				37,978	37,978
Total Revenue		4,100,000	3,366,918	158,425	158,425	158,425	3,842,193	(257,788)
Expenses Category		Biennium 19-21	Actual	Projected			Projected	Projected
		Expense Allotments	Expenses through FM21 Mar-2021	FM 22 Apr-2021	FM 23 May-2021	FM 24 Jun-2021	Expenditure Total	Variance
Salaries and Wages		821,380	787,252	52,618	52,618	52,618	945,106	(123,726)
Employee Benefits		280,420	279,732	18,250	18,250	18,250	334,484	(54,064)
Goods and Other Services		4,337,099	2,956,925	55,896	54,920	74,920	3,142,661	1,194,438
Travel		91,920	28,073	1,406	1,406	1,406	32,291	59,629
Capital Outlays		3,181	25,044	0	0	30,000	55,044	(51,863)
Grants, Benefits & Client Services		0	2,000	0	0	0	2,000	(2,000)
Sum:		5,534,000	4,079,026	128,170	127,194	177,194	4,511,585	1,022,415
Operating Transfers		BI 19-21	Actual	Projected			Projected	Projected
		Operating Transfers	Operating transfers through FM21 Mar-2021	FM 22 Apr-2021	FM 23 May-2021	FM 24 Jun-2021	Op. Trans. Total	Variance
Operating Transfer Out			(44,000)				(44,000)	44,000
Total Net Operating Transfers		0	(44,000)	0	0	0	(44,000)	44,000
Fund Balance Projection		Biennium 19-21	Actual	Projected			Projected	Projected
		Rev Allotments - Exp Allotments	Rev - Exp through FM21 Mar-2021	FM 22 Apr-2021	FM 23 May-2021	FM 24 Jun-2021	end of BI 19-21	Variance
Net Income (Loss)	BI 19-21 Beginning Balance	(1,434,000)	(756,108)	30,255	31,231	(18,769)	(713,392)	720,608
	\$	1,726,326	292,326	970,218	1,000,473	1,031,703	1,012,934	1,012,934 <-- Ending Fund Balance (projected)

Expenses Detail Category	Biennium 19-21		Actual	Projected			Projected	Projected
	Expense Allotments	Expenses through FM21 Mar-2021	FM 22 Apr-2021	FM 23 May-2021	FM 24 Jun-2021	Expenditure Total	Variance	
Salaries and Wages	821,380	787,252	52,618	52,618	52,618	945,106	(123,726)	
AA State Classified	420,359	572,916	38,980	38,980	38,980	689,857	(269,498)	
AC State Exempt	401,021	192,836	10,833	10,833	10,833	225,336	175,685	
AE State Special		11,750	604	604	604	13,563	(13,563)	
AU Overtime and Call-Back		9,749	2,200	2,200	2,200	16,349	(16,349)	
Employee Benefits	280,420	279,732	18,250	18,250	18,250	334,484	(54,064)	
BA Old Age and Survivors Insurance	50,919	47,222	2,999	2,999	2,999	56,217	(5,298)	
BB Retirement and Pensions	105,624	100,120	6,461	6,461	6,461	119,503	(13,879)	
BC Medical Aid & Industrial Insurance	3,639	4,618	282	282	282	5,464	(1,825)	
BD Health, Life & Disability Insurance	108,327	114,417	7,808	7,808	7,808	137,841	(29,514)	
BH Hospital Insurance (Medicare)	11,911	11,044	701	701	701	13,148	(1,237)	
BK Paid Family and Medical Leave		(6)				(6)	6	
BV Shared Leave Provided Annual Leave		2,268				2,268	(2,268)	
BZ Other Employee Benefits		50				50	(50)	
Goods and Other Services	4,337,099	2,956,925	55,896	54,920	74,920	3,142,661	1,194,438	
EA Supplies and Materials	18,000	17,097	549	549	549	18,744	(744)	
EB Communications/Telecommunications	4,800	14,373	1,759	1,759	1,759	19,650	(14,850)	
ED Rentals and Leases - Land & Buildings	132,216	100,305	3,726	6,726	6,726	117,483	14,733	
EF Printing and Reproduction		6,575	313	313	313	7,514	(7,514)	
EG Employee Prof Dev & Training	55,008	15,099	719	719	719	17,256	37,752	
EH Rental & Leases - Furn & Equipment	25,992	9,286	442	442	442	10,612	15,380	
EJ Subscriptions	2,000	1,312	62	62	62	1,500	500	
EK Facilities and Services	91,501	103,822	5,489	5,489	5,489	120,289	(28,788)	
EL Data Processing Services (Interagency)	403,248	373,370	7,937	3,961	3,961	389,229	14,019	
EM Attorney General Services	250,008	279,306	13,300	13,300	13,300	319,207	(69,199)	
EN Personnel Services	22,354	20,123	1,075	1,075	1,075	23,348	(994)	
EP Insurance	4,112	36				36	4,076	
ER Other Contractual Services	1,091,952	881,391	8,524	8,524	28,524	926,963	164,989	
EY Software Licenses and Maintenance	2,178,908	1,135,570	12,000	12,000	12,000	1,171,570	1,007,338	
EZ Other Goods and Services	57,000	(738)				(738)	57,738	
Travel	91,920	28,073	1,406	1,406	1,406	32,291	59,629	
GA In-State Subsistence & Lodging	27,960	16,481	837	837	837	18,992	8,968	
GB In-State Air Transportation	12,000	2,941	163	163	163	3,430	8,570	

Expenses Detail Category			Biennium 19-21	Actual	Projected			Projected	Projected
			Expense Allotments	Expenses through FM21 Mar-2021	FM 22 Apr-2021	FM 23 May-2021	FM 24 Jun-2021	Expenditure Total	Variance
GC	Private Automobile Mileage	27,960	2,930	140	140	140	3,350	24,610	
GD	Other Travel Expenses	12,000	1,801	86	86	86	2,059	9,941	
GF	Out-Of-State Subsistence & Lodging	6,000	2,200	91	91	91	2,473	3,527	
GG	Out-Of-State Air Transportation	6,000	1,610	89	89	89	1,877	4,123	
GN	Motor Pool Services		111				111	(111)	
Capital Outlays		3,181	25,044	0	0	30,000	55,044	(51,863)	
JA	Noncapitalized Assets	3,181	25,044			30,000	55,044	(51,863)	
JB	Noncapitalized Software						0	0	
Grants, Benefits & Client Services		0	2,000	0	0	0	2,000	(2,000)	
NZ	Other Grants and Benefits		2,000				2,000	(2,000)	
Total Dollars		5,534,000	4,079,026	128,170	127,194	177,194	4,511,585	1,022,415	

Board Meeting

Tab 7

**Assistant Attorney
General's Report**

Board Meeting

Tab 8

Other Business

- Additional Public Comment
- Upcoming Outreach and Events
- Rolling Action Item List + Action Items from this Meeting
- Agenda Items for Next Meeting

2021 BRPELS EVENT CALENDAR

January						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

February						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

March						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

April						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

May						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

June						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

July						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

August						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

September						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

October						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

November						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

December						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

NCEES	
Western Zone Annual Meeting May 13 - 14 Virtual	Annual Meeting August 18 - 21 ~New Orleans, LA

LSAW
Annual Conference March 27 - 30 Virtual

2021 Pacific Northwest ASCE Student Conference
April 15 - 17

Committee & Board Meetings
WA State Specific Exams
NCEES Exams
State Holidays

2021 BRPELS Event Schedule

Date	Event
January 29 - 30, 2021	NCEES Board Presidents' Assembly (Virtual)
February 17 - 18, 2021	Board & Committee Meetings
February 21 - 27, 2021	National Engineers E-Week
March 27-30, 2021	LSAW Western Regional Survey Conference (Virtual)
April 9, 2021	State Specific Exams
April 15-17, 2021	2021 Pacific Northwest ASCE Student Conference
April 20 - 21, 2021	Board & Committee Meetings
April 23 - 24, 2021	NCEES Exams
May 13 - 14, 2021	NCEES Western Zone Meeting (Virtual)
June 16-17, 2021	Board & Committee Meetings
August 11 - 12, 2021	Board & Committee Meetings
August 18 - 21, 2021	2021 NCEES Annual Meeting
September 24, 2021	State Specific Exams
October 20 - 21, 2021	Board & Committee Meetings
October 22 - 23, 2021	NCEES Exams
December 8 - 9, 2021	Board & Committee Meetings

Board of Registration for Professional Engineers and Land Surveyors

Active Action Item List

Executive Committee

Date Assigned	Action Item	Assigned To	Status
12/9/20	Send committee reports to Committee Chairs, Mr. Fuller, and Ms. Moretti prior to board meetings.	Committee Staff Leads	Ongoing
2/17/21	Send updated rule-making status report to board members.	Ms. Gillespie	In Progress
2/18/21	Review OFM performance evaluation process and develop a specific agency process for board staff to be approved by the full board.	Executive Committee	In Progress

Exam Qualifications Committee (EQC)

Date Assigned	Action Item	Assigned To	Status
10/15/20	Review On-Site Wastewater Designer Application and update verification requirements so they are more aligned with the PE application.	EQC Ms. Cramer	In Progress
10/15/20	Review WAC 196-12 and send to Ms. Lagerberg for review.	EQC Ms. Gillespie	In Progress
12/9/20	Provide information regarding the SE applications that do not follow normal licensing path for February EQC and SE committee meetings.	Ms. Cramer	In Progress
2/17/21	Incorporate Mr. Wilkerson's suggestions and edits into the OS application and bring back to EQC for review.	Ms. Cramer	In Progress
2/17/21	Research options for the Law Review to be administered through an alternate platform.	Ms. Cramer	In Progress

Practice Committee (PC)

Date Assigned	Action Item	Assigned To	Status
8/26/20	Create a PC activities and accomplishments report.	PC Ms. Short	Ongoing
12/9/20	Bring the current Investigation Process, Case Manager Recommendation, Sanction Recommendation, and Legal Processes flowcharts to the February 2021 PC Meeting	Ms. Short	In Progress
12/9/20	Review Policy #48 at the February 2021 PC meeting and whether this should be put into WAC	PC	In Progress
12/9/20	Add Legislative updates to each PC agenda	Ms. Short	In Progress
12/9/20	Add update on new database to February 2021 PC agenda and also as a New Business item for the February 2021 Board agenda	Ms. Short	In Progress
12/9/20	Add review of WAC 196-09 to action items.	PC	In Progress

Board of Registration for Professional Engineers and Land Surveyors

Active Action Item List

Date Assigned	Action Item	Assigned To	Status
2/17/21	Update the flowcharts and Ms. Lagerberg will look at the comments in draft WAC 196-09. This information will then be sent to PC members in the next 2-3 weeks for their review.	Ms. Short	In Progress
2/17/21	Research Branch Offices, Corporation Act, & designated officials and their responsibilities.	Ms. Lagerberg	In Progress
2/17/21	Clarify which business needs a COA and how those businesses must register with the Board	Ms. Lagerberg	In Progress
2/17/21	Look at draft WAC 196-25 with Ms. Lagerberg's comments.	Mr. Larson Mr. Wengler	In Progress
2/17/21	Continue to research options for housing a database of FAQs, e.g. SharePoint.	Staff	In Progress

Survey Committee

Date Assigned	Action Item	Assigned To	Status
10/15/20	Meet with DNR regarding issues affecting the investigation process.	Mr. Wengler Mr. Blaisdell Mr. Larson	In Progress
2/16/21	Recommend the PC review Policy #42 and make a final recommendation to the full board.	Survey Committee	In Progress

Structural Committee

Date Assigned	Action Item	Assigned To	Status
2/12/20	Write response to Basecamp (NCEES) on behalf of the Board.	Ms. Lund Structural Committee	In Progress
2/16/21	Send report of 1/13/21 SE Licensing and Regulations for High Seismic Zones meeting discussion to meeting participants	Mr. Fuller Ms. Gillespie	In Progress
2/16/21	Send SE experience descriptions to Mr. Peden as examples	Ms. Cramer	In Progress
2/16/21	Send draft SE rule language to committee members	Ms. Lagerberg Ms. Gillespie	In Progress
2/16/21	Application update assignments: <ul style="list-style-type: none"> • Work with Mr. Peden, Ms. Lund & Mr. Lau to come up with language that would help define "satisfactory to the board" experience. • Provide the number of SE applicants by comity, and the number of applicants with SE exam only at next meeting. • Send Word version of application to Ms. Lund & Mr. Peden 	Ms. Cramer	In Progress
2/16/21	Look at SE application instructions, and revise language to assure alignment with what is in RCW/WAC.	Ms. Cramer Ms. Gillespie Mr. Fuller	In Progress

Board of Registration for Professional Engineers and Land Surveyors

Active Action Item List

Board Staff

Date Assigned	Action Item	Assigned To	Status
12/12/19	Write Communication Action Plan for board review.	Mr. Fuller	In Progress
4/16/20	Develop a remote signing response and send it to Ms. Lagerberg for review prior to posting on the website.	Mr. Fuller	In Progress
8/27/20	Send thank you notes to SMEs.	Mr. Fuller	In Progress
10/15/20	Compile and bring a list of meeting efficiency ideas to the next board meeting.	Mr. Fuller	In Progress
10/14/20	Research board member access to website via portal.	Ms. Moretti	In Progress
2/18/21	Email BRPELS org chart, staff contact list, and updated event calendar to board members.	Ms. Moretti	Completed
2/18/21	Launch an ad hoc workgroup to develop BRPELS outreach strategy.	Mr. Fuller	In Progress

Board Meeting

Tab 9

Adjourn Meeting