

Washington State Board of Registration for Professional Engineers & Land Surveyors

Board Meeting

August 12, 2021

[WebEx Link](#)

or

Join by video system, application or Skype for business

Dial 1774499377@webex.com

You can also dial 173.243.2.68 and enter meeting number 1774 49 9377

Meeting password: Sw9pVXYB8c6

Tap to join from a mobile device (attendees only)

[+1-415-655-0001,,1774499377##](tel:+1-415-655-0001,1774499377##) US Toll

[+1-206-207-1700,,1774499377##](tel:+1-206-207-1700,1774499377##) (Seattle)

Board Meeting

Tab 1

Call to Order

- 1.1 Roll Call
- 1.2 Order of Agenda
- 1.3 Approval of June 17, 2021 Meeting Minutes
- 1.4 Review Correspondence & Communications
- 1.5 Public Comment Opportunity



STATE OF WASHINGTON

BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

Special Board Meeting Agenda

DATE & TIME: August 12, 2021 8:00 a.m.

LOCATION: Radisson SeaTac
San Juan Room
18118 International Blvd
Seattle, WA 98188

[WebEx Link](#)
and or

Tap to join from a mobile device (attendees only)

[+1-415-655-0001,,1774499377##](#) US Toll

[+1-206-207-1700,,1774499377##](#) (Seattle)

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 June 17, 2021 Meeting Minutes
- 1.4. Review Correspondence & Communications
- 1.5. Public Comment Opportunity

EXECUTIVE SESSION: The chair will announce the purpose and estimated duration for Executive Session. No formal actions will be taken during Executive Session. Once Executive Session concludes, the Board will take a break to announce and invite visitors to Open Session.

OPEN SESSION RECONVENES

2. Disciplinary Action

- 2.1. Board Order
- 2.2. Recommended Case Closures
- 2.3. Disciplinary Report

3. Committee Reports

- 3.1. Executive Committee
- 3.2. Practice Committee
- 3.3. Exam Qualifications Committee
- 3.4. Survey Committee
- 3.5. Structural Committee
- 3.6. On-Site Committee

4. New Business

- 4.1. Budget Spending Allotment Approval
- 4.2. WAC 196-25 Recommendation (from PC)
- 4.3. WAC 196-23 Recommendation (from PC)
- 4.4. Rule Making Report
- 4.5. NCEES Annual Meeting Motions

5. Old Business

- 5.1. Review of Strategic Planning Goals

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. 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

BOARD MEETING MINUTES

DATE: June 17, 2021

TIME: 8:00 a.m.

LOCATION: Spokane Convention Center and 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 8:02 a.m.

1.1 Roll Call

Mr. Blaisdell, Board Chair, took roll call.

1.2 Order of Agenda

A motion was made by Mr. VanDeWege, and seconded by Ms. Lund, to accept the agenda with the addition of agenda item 4.9 – Scope of Board's role regarding engineered products.
Motion carried.

1.3 Approval of Meeting Minutes

A motion was made by Mr. Wengler, and seconded by Mr. VanDeWege, to accept the May 4, 2021 meeting minutes as written. Motion carried.

1.4 Review Correspondence & Communications

The Board reviewed the email from Ming Alwin, City of Seattle and the memo from NCEES regarding Washington Accord Guidance that were included in the board packet.

1.5 Public Comment Opportunity

None provided

2. Disciplinary Action

2.1 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 Topics:

1. Director's Report – Board/Agency operations

Mr. Larson and Mr. Fuller discussed the status of the office move. Painting, carpeting has been done. We are in the middle of getting the electronics and wiring finished. Furniture has been ordered. We expect to get moved in fully by August or early September.

Mr. Fuller discussed a hybrid model (50% at home, 50% in the office) for staff to work once we get fully moved in.

Mr. Blaisdell had questions regarding records management and POLARIS. Staff answered his questions, and Mr. Fuller explained that these topics will also be discussed at the Strategic Planning Session.

Mr. Bitar gave a high-level overview of the budget. Licensing fee collection are down about 7% this biennium. Fund balance at end of biennium will be about \$900,000.

2. Does the scope of the Board's role extend to engineered products?

A discussion was held regarding whether the board has any authority over engineered products. It was determined that if there was engineering performed, the board does have jurisdiction over the licensee, but not necessarily the product. Ms. Lagerberg said she felt it was more of a consumer protection issue, and a complaint could be filed with the Office of the Attorney General.

A motion was made by Mr. Hendrickson, and seconded by Mr. VanDeWege, to accept the Executive Committee report. Motion carried.

3.2 Practice Committee (PC)

Ms. Lund delivered the committee's report.

Complaint Summary:

Total Complaints Received	10
Engineering Complaints	2
Surveying Complaints	8
On-Site Designer Complaints	0

Total Administrative Closures	4
Engineering Closures	0
Surveying Closures	4
On-Site Designer Closures	0

Compliance Report:

Ms. Lund reported there are two individuals on compliance monitoring (Richard Russum, PLS and Russell Bodge) and both are currently in compliance with the terms of their board orders.

Action Items:

1. The PC recommends the Investigative through Legal Processes flowcharts be kept internal unless someone asks for them (not published on Website). They will also be included in the Board Members Manual.
2. The PC reviewed a question regarding Architect stamping structural design documents. Ms. Lund drafted a response to Mr. Alwin and it will be sent to him.
3. Ms. Short will send a certified letter to Mr. Bodge requesting an update on where he is with compliance of the board order.
4. The PC is recommending approval of the Board on revised WAC 196-25.
5. This year the PC updated and submitted to the Board for approval 3 WACs; and requested the Board repeal 3 policies.
6. This year's PC will put forward for next year's committee the following:
 - a. Move the database for questions up on priorities list and work with Ms. Moretti on researching an appropriate database.
 - b. Assist the AGOs Office on responding to Engineer/Architect stamping issues.

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

3.3 Exam Qualifications Committee (EQC)

Ms. Gnanapragasam delivered the committee's report

Overview:

- Re-exam application discontinuance
 - o EQC to recommend discontinuing reexam requirements beginning Jan 1, 2022 this is for PE/SE & PLS 6hr exams only this does not affect state specific PLS/OS exams
- Polaris update
 - o There are about 10 outstanding "bugs"
- SAW (Secure Access Washington)
 - o Applicants will now choose BRPELS instead of DOL

- o All email requests for help come directly to us, and no longer will be going through DOL then to us. This cuts back on response time by a few days
- OS Designer Application & verification form mockup review
 - o Final adjustments made and final application/verification forms to be completed and on website by end of July
 - o OS WAC language updates being forwarded to next EQC
- FE equivalency pathway
 - o Current EQ recommends the next EQC to review and identify a pathway for FE exam equivalency

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

3.4 Survey Committee

Mr. Wengler delivered the committee's reports.

5/25/21 Discussion Topics

- Future of the WA state specific land surveyor's exam

Mr. Blaisdell gave a background on what the board has discussed in the past regarding the state specific LS exam. State specific items are included on the exam, as well as areas covered on the NCEES PLS exam. He discussed the writing of exam items, using subject matter experts (SMEs), board staff, and resources. At NCEES, he is on the PLS exam committee and they have been tasked with doing a detailed study regarding the exam going to a modular style exam – nationwide, for all PLS candidates. There would be 5 modules: boundary, PLSS, mapping sciences, incidental drainage, and a core survey exam.

Mr. Wengler stated he was under the impression that these modules were being created for easy mobility across the states for professional land surveyors, and a state specific exam may not be needed.

Questions that need to be considered:

How much it will be for the applicant to take the exam?

What modules will they have to take?

Is this going to preclude the meeting with SMEs in June? It will not. The module system still needs to be worked on at the NCEES, and it is still a few years away. More discussion about the future of the NCEES PLS exam after the NCEES Annual meeting in August.

If the module-type exam is implemented, does Washington need to have a state specific exam?

Could it be a take-home exam?

Do we need to change where we are going on the exam right now? No. If these modules do in fact become the new system in 2025, we can look at the state specific exam – it doesn't mean that we have to get rid of state specific questions, but we

may be able to get rid of some of the basic land surveying questions that are now on the exam. It could possibly be a take-home exam.

We need to look at converting format from paper/pencil to computer-based.

The SMEs will be getting together to look at where we are missing items in the item bank, validate the questions in the item bank, decide which ones need to be deleted or rewritten.

Move forward with writing questions to fill in domain areas where there are few questions and making it a more robust exam.

Mr. Wengler asked about a take home exam instead of a secure exam on-line? Mr. Blaisdell did not think that would be an issue. He believes that a take-home exam would be good. Does a take-home exam need to be paper/pencil or on-line where you could take your time work to finish it.

A take-home exam can be tailored and flexible. A time-limit would be good to include, so that the exam is not out of date if an applicant takes too long to finish it. There needs to be a short-time frame to finish the exam.

The future of the survey exam is bright when it comes to the flexibility on how we qualify candidates in Washington. It will only get better, but the one thing we have to do is continue to shore up the item bank, fill in the domain areas, and look at the data to see how certain questions

6/9/21 Discussion Topics

- Email from DNR and draft rule language – WAC 332-130

Mr. Wengler and Mr. Blaisdell had questions of Mr. Knuth regarding the draft language (amended) to WAC 332-130-020 – Definitions, Relative accuracy, and WAC 332-130-050 Survey Map requirements. They provided comments to Mr. Knuth for his group to consider.

- Update on LS Exam SME meeting

Mr. Larson provided the committee with an update on the LS Exam SME meeting. There will be one group of exam question writers, and one group of exam question testers. Meeting notices will go out to interested licensees by next week.

3.5 Structural Committee

Mr. Hendrickson delivered the committee's report.

At the June 7th meeting, the Committee reviewed the final changes to the Structural Application. The final document was sent to Ms. Moretti for formatting and posting by July 1, 2021.

4. New Business

4.1 WAC 196-25 Approval Request (from PC)

The Board discussed the latest draft of proposed WAC 196-25 and determined additional changes need to be made. The PC agreed to reexamine the WAC based on some of the

feedback from the discussion and will bring it back to the Board for review at the next meeting.

4.2 Architect stamping structural design documents (from PC)

The Board discussed the email from Ming Alwin with the Department of Construction and Inspections of City of Seattle regarding an architect stamping structural design documents. The Board agreed that the Seattle building code cited in the email may be confusing. Mr. Blaisdell tasked Ms. Lund, with the assistance of Ms. Lagerberg and Mr. Fuller, to respond on behalf of the Board.

4.3 Discontinue Re-Exam Applications beginning January 1, 2022 (from EQC)

The Board discussed its current re-exam procedure.

A motion was made by Ms. Lund, and seconded by Mr. Hendrickson, to approve the EQC recommendation to discontinue re-exam applications effective January 1, 2022, unless the WAC changes become effective before that. Motion carried.

4.4 Board Journal Content and Posting Informal Actions

On the advice of the AGO, the Board decided to stop publishing informal actions on the website and in the Journal. Instead, Mr. Fuller will work with Ms. Lagerberg and Ms. Short and draft informative and/or educational examples to share with licensees based on issues identified in investigations with no action and administrative closures.

4.5 2021 NCEES MBA Resolution of Cooperation

The Board discussed NCEES MBA Resolution of Cooperation and Mr. Blaisdell tasked Mr. Fuller with drafting a response with an explanation of the Board's reasoning and reluctance to sign. Mr. Fuller also agreed to have board members review the correspondence before sending it to NCEES.

A motion was made by Mr. Hendrickson, and seconded by Mr. Wengler, to approve the resolution. Motion failed.

4.6 Report from NCEES Western Zone Meeting

Mr. Blaisdell and Mr. Fuller reported on the virtual NCEES Western Zone Interim Meeting they attended in May. At the meeting, Mr. Blaisdell facilitated the Surveying Breakout Forum and a new zone secretary-treasurer was elected.

4.7 Strategic Planning Session Report

Mr. Fuller gave a report of the Strategic Planning Meeting held the day before.

- Mr. Fuller will put together notes of the planning session based on the flip chart exercise that board members took part of at the meeting.
- The Executive Committee will provide ongoing oversight of the strategic plan and will provide an update at each board meeting. The Board agreed an annual strategic planning session would be helpful and scheduled the next one for June 2022.
- Mr. Fuller will work with Ms. Lund and Mr. Bitar on developing next biennium's budget.
- An ad hoc Outreach Committee was established to review the communication plan and develop a job description for a new outreach position. The committee will be chaired by

Mr. Hendrickson and consist of board members Mr. Peden and Ms. Lund along with staff participation from Ms. Cramer and Ms. Moretti.

- The Board also established an ad hoc On-site Wastewater Committee. This committee will be chaired by Ms. Gnanapragasam and consist of three or four SMEs and Ms. Cramer as staff lead.

4.8 Election of 2021-2022 Officers

The Nominating Committee, consisting of Mr. VanDeWege and Ms. Gnanapragasam, provided the nominees of Ms. Lund for Board Chair and Mr. Hendrickson for Vice Chair.

A motion was made by Mr. Wengler, and seconded by Mr. Peden, to accept the nominating committee's recommendations. Motion carried.

4.9 Scope of Board's role regarding engineered products (from Executive Committee)

Mr. VanDeWege described a situation he's become aware of regarding a product with a dangerous safety issue and high failure rate. Because it's a product that's not engineered in the state and it's unclear whether the problem is actually in the engineering or fabrication of the product, the Board doesn't have authority to address the matter.

Ms. Lagerberg proposed the AGO's Consumer Protection Division as an option for individuals that wish to file a complaint and noted the Board could also choose to send a letter to CPSC.

5. Old Business

None

6. Director's Report

6.1 Financial Report

Mr. Bitar stated the Board is currently in sound financial condition and projects the agency will end the current biennium with about \$914K in its operating account. There are some expenses related to the new office that won't be incurred in the current biennium. He also noted that expenditures have been low and agency revenues look strong although they are still down by 7% compared to the prior biennium.

6.2 Agency Operations

Mr. Fuller asked the Board if there were any questions on topics previously discussed: office move; facility lease; contracts with DOL, DES, and WaTech; and the central service model.

6.3 Other Items

- NCEES shared its Annual Meeting motions during the recent State of the Council Presentation and Mr. Fuller shared a couple he thought the Board may want to take note of:
 - Public outreach motion regarding a young engineers survey, to start reaching the future of the industry.
 - Motion on field experience for land surveyors that are not able to be in the field.

An in-depth discussion on NCEES' Annual Meeting motions is on the agenda for the August board meeting.

- Mr. Fuller will email the most recent draft of DOL Statement of Work #2 for everyone to review, including Ms. Cramer since it primarily addresses Polaris license and compliance software, revenue processing, and a potential scanning option for paper applications.
- Mr. Fuller will be working with the AGO's office to get a Prosecutor assigned to the Board.

7. Assistant Attorney General's Report

7.1 Formal AGO Opinion - Authority of Engineer to Stamp and Sign Architectural Drawings for Submission for Building Permits

The Board reviewed the Formal AGO Opinion AGO 2021 No.2 submitted to Representative Walen on March 31, 2021.

Ms. Lagerberg also informed the Board of a publication that the Department of Ecology wants to put out as guidance to their engineers regarding stamping.

Mr. Fuller is going to email the Ecology Report to everyone, and comments from board members should be sent back to him and Ms. Lagerberg. Ms. Lagerberg will then work with Mr. Fuller, Mr. VanDeWege, Mr. Hendrickson, and Mr. Wengler on an official response.

7.2 Honeyford Request for Formal AGO Opinion

The Board and Ms. Lagerberg discussed a new Request for a Formal AGO Opinion from Senator Jim Honeyford. Ms. Lagerberg will work with Mr. Peden, Ms. Gnanapragasam, Mr. Blaisdell, and the Architect's Board to develop a plan to move forward on the Honeyford Request for Formal AGO Opinion. Ms. Moretti will provide administrative support to the group by scheduling and setting up meetings.

8. Other Business

8.1 Additional Public Comment

None Provided

8.2 Upcoming Outreach and Events

June 23rd – Society of Naval Architects and Marine Engineers (SNAME) Pacific Northwest Section PE Ethics and Law Refresher (Mr. Hendrickson & Mr. Fuller)

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. Ms. Short will provide statutes regarding sole proprietorship from the Secretary of State and Department of Revenue.
2. Ms. Lund will revise response to Ming Alwin at the City of Seattle Department of Construction and Inspections.

3. Ms. Short will email Ms. Lagerberg a link to Guidelines for Building Officials on the DOL website.
4. Instead of posting informal actions on the website and in the Board Journal, Ms. Lagerberg, Mr. Fuller, and Ms. Short will identify and draft informative and educational content based on issues found in complaints. These will be presented to the board to review before publication.
5. Mr. Fuller will draft a response to 2021 NCEES MBA Resolution of Cooperation for the Board to review.
6. Ms. Lund, Mr. Bitar, and Mr. Fuller will work together on next biennium's budget.
7. Mr. Fuller will email Ms. Lagerberg's latest draft of the Statement of Work with DOL to everyone for review. All comments and edits should be sent directly back to him.
8. Mr. Fuller is going to email the Ecology Report to everyone, and comments should be sent to both him and Ms. Lagerberg. Ms. Lagerberg will then work with Mr. Fuller, Mr. VanDeWege, Mr. Hendrickson, and Mr. Wengler on an official response.
9. Ms. Lagerberg will work with Mr. Peden, Ms. Gnanapragasam, Mr. Blaisdell, and the Architect's Board to develop a plan to move forward on the Honeyford Request for Formal AGO Opinion. Ms. Moretti will provide administrative support to the group by scheduling and setting up meetings.
10. Ms. Short will send a certified letter to Mr. Bodge to find out where he's at and whether he's still in compliance with his board order.

8.4 Agenda Items for Next/Upcoming Meetings

- NCEES Annual Meeting Motions

9. Adjourn Meeting

- 9.1 The meeting was adjourned at 1:45.

Next Meeting: August 12, 2021 – Special Board Meeting – SeaTac and WebEx

Respectfully submitted

Ken Fuller, PE, Director

-----Original Message-----

From: George Marshall <gmarshall@olypen.com>

Sent: Wednesday, August 4, 2021 5:00 PM

To: Engineers (BRPELS) <BRPELS.Engineers@brpels.wa.gov>

Subject: PLS Licensing Requirements

Hi Folks,

You know, I've been licensed in 5 states, including WA, for 20+ years. I have taken every conceivable online course, including ones that are duplicative. Most of the articles I could write better myself. These PDH requirements are expensive and, sad to say, meaningless for senior surveyors. I wish all states would just stop this nonsense. BTW, I am a licensed flight instructor, and have taken the FAA course in UAV reg's.

Our profession is turning into a scrambled bag of new technology. This is not what the responsibilities of a licensed Land Surveyor originally were, or should be. Ok, if you want some certification for some new technology, have a separate licensing procedure and credential for it.

Why are we expected to be proficient at just about every form of measurement there is? You think that's really possible? Land surveying is, yes, about precise measurement - but it's much more than that. It is about knowing Boundary Law in each state in which you are licensed.

Period. So stop filling our craws with knowledge of new measurement technology, and just let us do the jobs that were originally intended.

George Marshall
PLS 35138
360-809-9418

Board Meeting

Tab 2

Disciplinary Activity

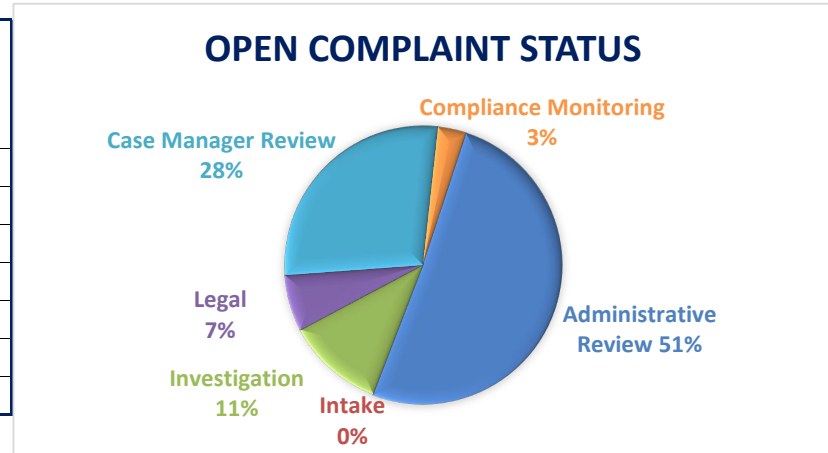
- 2.1 Board Order
- 2.2 Case Closures
- 2.3 Disciplinary Report

Board of Registration for Professional Engineers Land Surveyors

Disciplinary Report - August 2021

Open Case Status

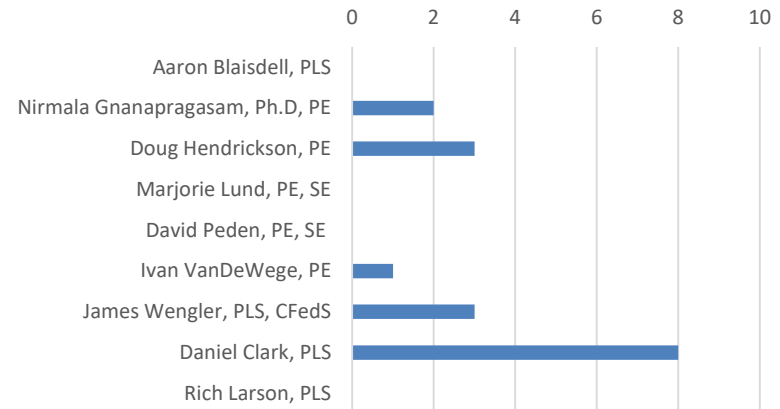
Status	Program Type			Total
	Engineers	Land Surveyors	OSW	
Administrative Review	11	20	0	31
Intake	0	0	0	0
Investigation	5	2	0	7
Legal	1	0	3	4
Case Manager Review	5	11	1	17
Compliance Monitoring	1	1	0	2
Total	23	34	4	61



Case Manager Review

Case Manager	Program Type		Total
	Engineers	Land Surveyors	
Aaron Blaisdell, PLS	0	0	0
Nirmala Gnanapragasam, Ph.D, PE	2	0	2
Doug Hendrickson, PE	3	0	3
Marjorie Lund, PE, SE	0	0	0
David Peden, PE, SE	0	0	0
Ivan VanDeWege, PE	1	0	1
James Wengler, PLS, CFedS	0	3	3
Daniel Clark, PLS	0	8	8
Rich Larson, PLS	0	0	0
Total	6	11	17

Case Manager Open Complaints



Administrative Review

Board Staff	Engineers	Land Surveyors	OSW	Total
Ken Fuller, PE	11	0	0	11
Rich Larson, PLS	1	19	0	20
Total	19	19	0	31

Board Meeting

Tab 3

Committee/Task Reports

- 3.1 Executive Committee
- 3.2 Practice Committee
- 3.3 Exam/Qualifications Committee
- 3.4 Survey Committee
- 3.5 Structural Committee
- 3.6 On-Site Committee



State of Washington Board of Registration for Professional Engineers & Land Surveyors

2021-22 Committee Members

Executive Committee:

Marjorie Lund, PE, Chair
Doug Hendrickson, PE, Vice Chair
Aaron Blaisdell, PLS, Past Chair

Practice Committee:

Doug Hendrickson, PE, Chair
Aaron Blaisdell, PLS
Dave Peden, PE, SE

Exam Qualification Committee:

Ivan VanDeWege, PE, Chair
Nimmy Gnanapragasam, Ph.D., PE
Jim Wengler, PLS

Survey Committee (Ad Hoc):

Aaron Blaisdell, PLS, Chair
Jim Wengler, PLS
Ivan VanDeWege, PE

Structural Committee (Ad Hoc):

Dave Peden, PE, SE, Chair
Marjorie Lund, PE, SE
Nimmy Gnanapragasam, Ph.D., PE

On-Site Committee (Ad Hoc):

Nimmy Gnanapragasam, Ph.D., PE, Chair
Leslie Turner, DOH Representative
Ric Wilkerson, On-Site Wastewater Designer
Bob Suggs, On-Site Wastewater Designer
Bill Creveling, On-Site Wastewater Designer

Board Meeting

Tab 4

New Business

- 4.1 Budget Spending Allotment Approval
- 4.2 WAC 196-25 Approval Request (from PC)
- 4.3 WAC 196-23 Approval Request (from PC)
- 4.4 Rule Making Report
- 4.5 NCEES Annual Meeting Motions

Moretti, Carmena (BRPELS)

From: Bitar, Paul (DES)
Sent: Thursday, August 5, 2021 11:19 AM
To: Moretti, Carmena (BRPELS)
Subject: Final Financial Status Report - Biennium 2019-21
Attachments: BRPELS%20MFSR%20Bi21%20-%20june%202021(1).xlsx

Hi Carmena,

I have attached the final financial status report for the 2019-21 biennium. The information shows that the agency spent \$4.7 million during the biennium, and about half of this amount, \$2,311,700.32, was paid to DOL for POLARIS and other services.

The DOL costs are included under sub objects EA, ED, EL, ER, and EY. (However, not all costs reported under these sub objects are attributable to DOL).

Let me know if you have any questions.

Thanks,

Paul Bitar

Senior Financial Consultant
Small Agency Financial Services
Washington State Department of Enterprise Services
d: 360-407-8129
paul.bitar@des.wa.gov

1500 Jefferson St SE; Third Floor, Cube 3019
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Your satisfaction is our priority and we value your feedback

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

<u>Category</u>	<u>BI Allotment</u>	<u>BITD Allotment</u>	<u>BITD Expenditures</u>	<u>BITD Variance</u>	<u>BI Variance</u>
Salaries and Wages	788,186	788,186	939,272	(151,086)	(151,086)
Employee Benefits	273,614	273,614	336,113	(62,499)	(62,499)
Travel	91,920	91,920	36,555	55,365	55,365
Capital Outlays	3,181	3,181	81,508	(78,327)	(78,327)
Grants, Benefits & Client Services	0	0	2,000	(2,000)	(2,000)
Goods and Services	4,337,099	4,337,099	3,336,647	1,000,452	1,000,452
Sum:	5,494,000	5,494,000	4,732,093	761,907	761,907

<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>
Salaries and Wages	34,386	50,051	(15,665)	788,186	939,272	(151,086)
A AA State Classified	17,278	39,005	(21,727)	395,012	690,665	(295,653)
AC State Exempt	17,108	10,833	6,275	393,174	225,336	167,838
AE State Special	0	213	(213)	0	13,388	(13,388)
AU Overtime and Call-Back	0	0	0	0	9,882	(9,882)
Employee Benefits	12,092	18,265	(6,173)	273,614	336,113	(62,499)
B BA Old Age and Survivors Insurance	2,131	2,992	(861)	48,858	56,314	(7,456)
BB Retirement and Pensions	4,421	6,464	(2,043)	101,359	119,624	(18,265)
BC Medical Aid & Industrial Insurance	161	301	(140)	3,639	5,547	(1,908)
BD Health, Life & Disability Insurance	4,880	7,808	(2,928)	108,327	137,841	(29,514)
BH Hospital Insurance (Medicare)	499	700	(201)	11,431	13,170	(1,739)
BK Paid Family and Medical Leave	0	0	0	0	(6)	6
BV Shared Leave Provided Annual Leave	0	0	0	0	3,572	(3,572)
BZ Other Employee Benefits	0	0	0	0	50	(50)
Goods and Services	146,959	137,123	9,836	4,337,099	3,336,647	1,000,452
E EA Supplies and Materials	500	9,969	(9,469)	18,000	27,452	(9,452)
EB Communications/Telecommunications	200	69	131	4,800	15,428	(10,628)

	ED	Rentals and Leases - Land & Buildings	5,509	4,267	1,242	132,216	113,155	19,061
	EE	Repairs, Alterations & Maintenance	0	8,651	(8,651)	0	8,651	(8,651)
	EF	Printing and Reproduction	0	254	(254)	0	9,559	(9,559)
	EG	Employee Prof Dev & Training	2,292	651	1,642	55,008	15,750	39,258
	EH	Rental & Leases - Furn & Equipment	1,083	1,639	(556)	25,992	12,421	13,571
	EJ	Subscriptions	87	0	87	2,000	1,312	688
	EK	Facilities and Services	3,875	5,763	(1,888)	91,501	130,458	(38,957)
	EL	Data Processing Services (Interagency)	16,802	7,179	9,623	403,248	410,824	(7,576)
	EM	Attorney General Services	10,417	44,977	(34,560)	250,008	335,473	(85,465)
	EN	Personnel Services	992	1,075	(83)	22,354	23,347	(993)
	EP	Insurance	88	0	88	4,112	36	4,076
	ER	Other Contractual Services	44,138	27,984	16,154	1,091,952	980,398	111,554
	EY	Software Licenses and Maintenance	58,601	24,547	34,054	2,178,908	1,253,024	925,885
	EZ	Other Goods and Services	2,375	98	2,277	57,000	(641)	57,641
	Travel		3,830	7,973	(4,143)	91,920	36,555	55,365
G	GA	In-State Subsistence & Lodging	1,165	4,676	(3,511)	27,960	21,307	6,653
	GB	In-State Air Transportation	500	929	(429)	12,000	3,870	8,130
	GC	Private Automobile Mileage	1,165	1,495	(330)	27,960	4,783	23,177
	GD	Other Travel Expenses	500	596	(96)	12,000	2,397	9,603
	GF	Out-of-State Subsistence & Lodging	250	0	250	6,000	2,200	3,800
	GG	Out-of-State Air Transportation	250	277	(27)	6,000	1,887	4,113
	GN	Motor Pool Services	0	0	0	0	111	(111)
	Capital Outlays		138	56,464	(56,326)	3,181	81,508	(78,327)
	JA	Noncapitalized Assets	138	4,510	(4,372)	3,181	29,554	(26,373)
	JC	Furnishings & Equipment	0	51,954	(51,954)	0	51,954	(51,954)
	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		<u>197,405</u>	<u>269,876</u>	<u>(72,471)</u>	<u>5,494,000</u>	<u>4,732,093</u>	<u>761,907</u>

Moretti, Carmena (BRPELS)

From: Bitar, Paul (DES)
Sent: Wednesday, August 4, 2021 4:48 PM
To: Moretti, Carmena (BRPELS)
Subject: Biennium 2021-23 Budget Info
Attachments: BRPELS 21-23 Proposed Allotments.xlsx

Hi Carmena,

Below is my projection for Biennium 2021-23 revenue, expenses, and ending account balance.

PROJECTED FUND BALANCE

Description	Total
Estimated Fund Balance 7/1/21	933,000
Plus Estimated 21-23 Revenue	3,900,000
Less Estimated 21-23 Expenses	(3,847,980)
Projected Fund Balance 6/30/23	985,020

As I mentioned yesterday, BORPELS has more spending authority than I think it will use during the biennium, so I allotted the extra, in the amount of \$342k, to salaries, benefits, and goods and services. This will allow BORPELS to add extra positions or make additional purchases, if needed.

Let me know if you have any questions.

Thanks,

Paul Bitar

Senior Financial Consultant

Small Agency Financial Services

Washington State Department of Enterprise Services

d: 360-407-8129

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[@Twitter](#) [@Facebook](#) [@LinkedIn](#)

Your satisfaction is our priority and we value your feedback

BRPELS DRAFT SPENDING PLAN

Biennium 21-23

FY 2022 Fixed

OBJECT/SUBJECT	DESCRIPTION	MONTHLY FIXED	MONTHLY CENTRAL SERVICE	ONE-TIME	ANNUAL	ASSUMPTIONS
	FTE	8.9				
AA	STATE CLASSIFIED	45,557			546,684	Includes cost of new employee - salary estimated at \$70k
AC	STATE EXEMPT	11,158			133,896	
B	BENEFITS	19,387			232,644	Includes cost of new employee
EB-B010	INTERNET				0	
EB-B020	MOBILE PHONE				0	
EB-B030	STATE PROVIDED PHONE SERVICE				0	
EB-B040	NON-STATE PROVIDED PHONE SERVICE				0	
EB-B050	POSTAGE AND PARCEL				0	
EC	UTILITIES				0	
ED	RENTALS & LEASES	3,000			36,000	\$3,000/mo estimated firefighters building rent
EH	EQUIPMENT LEASES				0	
EK-K030	FACILITIES AND SERVICES				0	
EK-K050	OTHER CENTRAL SERVICE BILLING CHARGES		2,690		32,278	DES SAFS = \$31,897 FY22 \$86 FY22 DES Perry St Daycare \$79 FY22 Capital Campus Childcare \$216 DES FY22 campus contracts
EK-K060	DES PARKING SERVICES				0	
EK-K080	PUBLIC & HISTORIC FACILITIES		103		1,235	\$1,235 DES public/historic facilities
EK-K090	REAL ESTATE SERVICES				0	
EL	DATA PROCESSING SERVICES		475		5,695	\$195 FY 22 DES enterprise applications \$3,500 FY22 OFM ERP Financing \$2,000 OFM Enterprise Applications Fee
EL-L010	COMPUTER SERVICES				0	
EL-L020	ENTERPRISE SECURITY		40		480	\$500 FY22 CTS Office of Cyber Security
EL-L030	ENTERPRISE SYSTEMS FEE		4		48	Enterprise System Rates
EL-L040	WATECH - IT SUPPORT SERVICES				0	
EL-L050	OFF. OF THE CHIEF INFO OFFICER		33		396	\$396 FY22 CTS Office of the OCIO
EL-L060	OTHER CTS SERVICES				0	
EL-L070	STATE DATA CENTER/JEFFERSON BLDG CENTRAL SVC		1,126		13,512	\$13,428 CTS FY22 State Data Center
EL-L080	STATE DATA NETWORK		50		600	\$600 CTS FY22 State Data Network
EL-L090	WARRANTS				0	
EM	ATTORNEY GENERAL	15,000			180,000	\$12,500/mo regular ATG costs + \$2,500/mo prosecution
EN	SMALL AGENCY HR				0	
EN-N020	PERSONNEL SERVICES		23		273	\$273 FY22 DES personnel services
EP-P010	OTHER INSURANCE				0	
EP-P020	SELF INSURANCE		83		1,000	\$1,000 FY22 SILA premium
EP-P030	RISK MANAGEMENT ADMIN		78		932	\$932 FY 22 DES risk admin
ER	OTHER PURCHASED SERVICES	10,000			120,000	\$10,000/mo estimated DOL other services
ER-R060	ADMINISTRATIVE SERVICES		83		1,000	\$1,000 FY22 OFM Central Services
ET	AUDIT SERVICES				0	
EV	OFFICE OF ADMINISTRATIVE HEARINGS				0	
EW	ARCHIVING				0	
EY	SOFTWARE MAINTENANCE	20,950			251,404	\$218,612 FY22 POLARIS +15% contingency
S	INTERAGENCY REIMBURSEMENTS				0	
	TOTAL	125,052	4,787	0	1,558,077	

FY 2022 Discretionary

OBJECT	DESCRIPTION	MONTHLY DISCRETIONARY	ONE TIME	ANNUAL	ASSUMPTIONS
A	SALARIES	4,000		48,000	
B	BENEFITS	1,917		23,004	
CD	COMPUTER/INFORMATION SERVICES			0	
CZ	OTHER PROFESSIONAL SERVICES			0	
E	GOODS AND SERVICES	8,333		100,000	
EA	SUPPLIES AND MATERIALS	1,000		12,000	
EB	Communications/Telecommunications	800		9,600	est. monthly cost based on ACB costs
ED-D050	PARKING			0	
EE	REPAIRS/MAINT. - OTHER	1,000		12,000	\$1,000/mo estimated misc tenant improvements/maint
EF	PRINTING & REPRODUCTION	500		6,000	
EG	EMPLOYEE PROF DEV & TRAIN	1,000		12,000	
EH	RENTALS & LEASES	500		6,000	
EJ	SUBSCRIPTIONS	100		1,200	
EK	FACILITIES AND SERVICES	1,500		18,000	CMS estimated \$1,000/mo
EL	DATA PROCESSING SERVICES	9,238		110,856	\$9,000/mo estimated CTS Small Agency IT Svcs \$238/MO m365 LICENSES
ER-R100	COURT REPORTERS			0	
ER	OTHER (Security, Interpreters, Notary)		156,000	156,000	Outreach modules \$80k Question Development \$50k/year \$25k/year OS Adhoc and Exam \$1,000/mo misc
EY	SOFTWARE MAINTENANCE	300		3,600	\$300/mo CTS web platform maintenance and support
EZ	OTHER GOODS & SERVICES			0	
G	TRAVEL		11,000	11,000	estimated additional \$11k/year Outreach Travel
GA	IN STATE SUBSIST & LODGING	1,167		14,000	based on 17-19 travel
GB	IN STATE AIR TRANSPORTATION	500		6,000	based on 17-19 travel
GC	PRIVATE AUTOMOBILE MILEAGE	1,167		14,000	based on 17-19 travel
GD	OTHER TRAVEL EXPENSES	500		6,000	based on 17-19 travel
GF	OUT OF STATE SUBSIST & LODG	250		3,000	based on 17-19 travel
GG	OUT OF STATE AIR TRANSPORT	250		3,000	based on 17-19 travel
GN	MOTOR POOL	250		3,000	based on 17-19 travel
JA-A010	IT EQUIPMENT - UNDER \$5,000	1,000		12,000	
JA-A020	FURNITURE - UNDER \$5,000	1,000		12,000	
JB	SOFTWARE under \$1 million			0	
NZ	OTHER GRANTS AND BENEFITS			0	
		36,272	167,000	602,260	
	Budgeted Dollars	2,095,000			
	BALANCE REMAINING			(65,337)	

**Chapter 196-25 WAC
BUSINESS PRACTICES**

~~EL-12-03-2020~~

~~046.062.21~~

~~Last Update:~~

WAC 196-25-001 Purpose. The purpose of this chapter is to provide clarification on how businesses are authorized to provide engineering or land surveying services in Washington and to implement that part of chapter 18.43 RCW related to corporations and limited liability companies offering engineering and land surveying services, as enacted by the 1997 legislature.

[Statutory Authority: Chapters 18.43 and 18.235 RCW. WSR 04-04-001, § 196-25-001, filed 1/21/04, effective 2/21/04. Statutory Authority: RCW 18.43.035 and 18.43.130. WSR 98-12-053, § 196-25-001, filed 5/29/98, effective 7/1/98.]

WAC 196-25-002 Definitions.

Board. The Washington state board of registration for professional engineers and land surveyors.

Business. A corporation, professional service corporation (PSC), limited liability company (LLC), professional limited liability company (PLLC), partnership or sole proprietorship that is practicing or offering to practice, engineering or land surveying or both in this state.

Certificate of authorization. A certificate issued by the board, pursuant to chapter 18.43 RCW, to a corporation or Limited Liability Company (LLC), authorizing it to practice engineering or land surveying or both in this state. (Note: This is a different certificate than the certificate of authorization that may be filed with the secretary of state.)

Designee, designated engineer, designated land surveyor. A currently registered professional engineer designated by a corporation or LLC to be in responsible charge of engineering activities for the

corporation or LLC in Washington, OR, a currently registered professional land surveyor designated by a corporation or LLC to be in responsible charge of land surveying activities for the business in Washington.

Employee. A person in the service of another under any contract of hire, express or implied, oral or written, where the employer has the right to control and direct the employee in the material details of the scope, schedule and location of employment.

Professional engineer. A person registered by the board under chapter 18.43 RCW to practice engineering in this state.

Professional land surveyor. A person registered by the board under chapter 18.43 RCW to practice land surveying in this state.

~~**Resident engineer or resident land surveyor.** A currently registered professional engineer or land surveyor who maintains a business headquarters or branch office as their/his/her normal place of employment in Washington State., and is in responsible charge of the engineering and/or land surveying services.~~

~~**Business.** A corporation, professional service corporation (PSC), joint stock association (JSA) or limited liability company (LLC), or professional limited liability company (PLLC), partnership or sole proprietorship that is practicing or offering to practice, engineering or land surveying or both in this state.~~

~~**Designee, designated engineer, designated land surveyor.** A currently registered professional engineer designated by the business a corporation or LLC to be in responsible charge of engineering activities for the business corporation or LLC in Washington, OR, a currently registered professional land surveyor designated by a corporation or LLC the business to be in responsible charge of land surveying activities for the business in Washington.~~

Responsible Charge. To be in responsible charge means to have the authority to make all engineering or land surveying decisions pertaining to engineering or land surveying activities in the state of Washington

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on behalf of a corporation or LLC. RCW 18.43.130(8)(b), RCW 18.43.130(10)(b).

~~**Employee.** A person in the service of another under any contract of hire, express or implied, oral or written, where the employer has the right to control and direct the employee in the material details of the scope, schedule and location of employment.~~

~~**Branch office.** One or more alternate locations in Washington of a business, not recognized as the business' main office or headquarters, which is established to offer and provide engineering and/or land surveying services from that location.~~

~~**Project office.** A temporary remote location of an engineering and/or land surveying business that is a convenient workplace for providing specific engineering and/or land surveying services only in support of a project.~~

~~**Certificate of authorization.** A certificate issued by the board, pursuant to chapter 18.43 RCW, to a business corporation or Limited Liability CompanyPartnership (LLC), authorizing it to practice engineering or land surveying or both in this state. (Note: This is a different certificate than the certificate of authorization that may be filed with the secretary of state.)~~

[Statutory Authority: RCW 18.43.035. WSR 05-17-053, § 196-25-002, filed 8/9/05, effective 9/9/05. Statutory Authority: RCW 18.43.035 and 18.43.130. WSR 98-12-053, § 196-25-002, filed 5/29/98, effective 7/1/98.]

New Section

~~**WAC 196-25-00*3 Business Licenses Department of Revenue.** Businesses, including corporations and LLCs must obtain a business license from the Department of Revenue prior to offering services to the public pursuant to chapter 82.32 RCW.~~

WAC 196-25-005 Corporations and LLC's must obtain Certificates of Authorization.~~Businesses that must be authorized by the board. Except for professional service (PS) corporations and professional service limited liability companies (PLLC's), all eCorporations, joint stock associations and limited liability companies (LLC's) that offer engineering or land surveying services must obtain from the board a certificate of authorization to practice engineering or land surveying or both in the state of Washington.~~

~~A general partnership must employ at least one person currently registered pursuant to chapter 18.43 RCW for each profession for which services are offered.~~

Corporations and LLCs must be registered with the Secretary of State, the Department of Revenue and must have a Unified Business Identifier (UBI) number prior to applying for a Certificate of Authorization.

Professional Service Corporations (PSC) and Professional Limited Liability Companies (PLLC), sole proprietorships and partnerships are exempt from applying for certificates of authorization. RCW 18.43.130(8)(e);RCW 18.43.130(9)(e).

[Statutory Authority: Chapters 18.43 and 18.235 RCW. WSR 04-04-001, § 196-25-005, filed 1/21/04, effective 2/21/04. Statutory Authority: RCW 18.43.035 and 18.43.130. WSR 98-12-053, § 196-25-005, filed 5/29/98, effective 7/1/98.]

WAC 196-25-010 Applications for Certificates of Authorization.
All applications by corporations and LLCs for certificates of authorization must be completed on forms provided by the board and submitted to the offices of the board. A complete application requires the following: Payment of the appropriate fee as listed in chapter 196-26A WAC; affidavit of designated professional engineer and/or land

surveyor; and, ~~certified a~~ copy of resolution naming the designated engineer, or land surveyor, or both.

~~The resolution shall be substantially as follows:~~

~~The designated engineer or land surveyor, respectively, named in the resolution as being in responsible charge, or an engineer or land surveyor under the designated engineer or land surveyor's direct supervision, shall make all engineering or land surveying decisions pertaining to engineering or land surveying activities in the state of Washington~~

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[Statutory Authority: Chapters 18.43 and 18.235 RCW. WSR 04-04-001, § 196-25-010, filed 1/21/04, effective 2/21/04. Statutory Authority: RCW 18.43.035 and 18.43.130. WSR 98-12-053, § 196-25-010, filed 5/29/98, effective 7/1/98.]

WAC 196-25-040 ~~Provisions pertaining to only cCorporations, joint stock associations Corporation and limited liability company designees.~~

~~(1) Each corporation or LLC must designate a registered engineer or land surveyor respectively to be in responsible charge. and have full authority to make all final decisions with respect to the work performed by the designating corporation or LLC as well as ultimate responsibility for its business operations.~~

~~(1)(2) If the business offers both engineering and land surveying services, there must be a designee for each profession. If a person is licensed in both engineering and land surveying, that person may be designated for both professions.~~

~~(2) An affidavit must be signed by the designee(s) stating that he or she they knows they have been designated by the business corporation or LLC as being responsible for the engineering and/or land surveying activities in the state of Washington.~~

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~~(3) The designated engineer and/or designated land surveyor must be an employee or shareholder of the corporation or LLC business.~~

(4) No person may be the designated engineer or designated land surveyor at more than one corporation or LLC ~~business~~ at any one time.

(5) When there is a change in the designee(s), the business must notify the board in writing no later than thirty days after the effective date of the change and submit a new affidavit.

Commented [LE(2)]: I would combine this with 196-25-010 or at least move it up so it is above the application section.

WAC ~~XXX-XX-XX~~196-25-045 Changes and renewals

(1) If the business changes its name with the secretary of state, the business must ~~submit a copy of its amended certificate of authority or amended certificate of incorporation (for corporations) or a copy of the certificate of amendment (for LLC's), as filed with the secretary of state~~ notify the board within thirty days of the name change.

(2) At the time of renewal, the corporation or limited liability company must have a current license with the secretary of state and the department of revenue. ~~submit a copy of the document issued to their company by the state of Washington master license service which states that the corporation or limited liability company has been "renewed by the authority of the secretary of state" and shows a current expiration date.~~

(3) The filing of the resolution shall not relieve the business of any responsibility or liability imposed upon it by law or by contract. Any ~~business~~ corporation or LLC that is certified under chapter 18.43 RCW and this chapter is subject to the authority of the board as provided in RCW 18.43.035, 18.43.105, 18.43.110, and 18.43.120.

[Statutory Authority: RCW 18.43.035. WSR 05-17-053, § 196-25-040, filed 8/9/05, effective 9/9/05; WSR 99-15-057, § 196-25-040, filed 7/15/99, effective 8/15/99. Statutory Authority: RCW 18.43.035 and 18.43.130. WSR 98-12-053, § 196-25-040, filed 5/29/98, effective 7/1/98.]

WAC ~~XXX-XX-XX~~196-25-046 Professional Service Corporation.

- (1) Professional service corporations (PSC) lawfully organized under chapter 18.100 RCW are not required to obtain certificates of authorization under this chapter.
- (2) All engineering ~~or land surveying~~ services provided by a professional service corporation, must be provided by a duly licensed professional engineer ~~or land surveyor~~ pursuant to RCW 18.100.060.
- (3) A registered engineer may own stock in and render individual professional services through only one professional service corporation at any time pursuant to RCW 18.100.050(2).
- (4) The standards of professional conduct for engineers ~~and land surveyors~~ under chapter 18.43 RCW and title 196 WAC apply to any professional services performed by a PSC or its individual member licensees pursuant to RCW 18.100.070.
- (5) A PSC that performs engineering ~~or land surveying~~ services must comply with ~~both~~ chapter 18.43 RCW and chapter 18.100 RCW ~~and chapter 18.130 RCW.~~

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WAC ~~XXX-XX-XX~~3196-25-047 Professional Limited Liability Company.

- (1) A group of licensed professional engineers or land surveyors legally authorized to render the same professional services within this state may form and become members of a professional limited liability company for the purposes of rendering professional engineering or land surveying pursuant to RCW 25.15.046.
- (2) A professional limited liability company and its members are subject to all of the provisions of chapter 18.100 RCW and WAC ~~XXX-XX-XX~~3.
- (3) No engineering or land surveying services may be performed by a PLLC unless those services are performed by a licensed engineer or land surveyor, respectively.

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(4) Formation of a professional limited liability company under RCW 25.15.046 does not restrict the application of the uniform disciplinary act under chapter 18.430235 RCW.

~~WAC 196-25-050 Branch offices. An engineering business or land surveying business maintaining branch offices shall have a resident engineer or resident land surveyor, as applicable, in responsible charge of said engineering and/or land surveying services.~~

~~[Statutory Authority: Chapters 18.43 and 18.235 RCW. WSR 04-04-001, § 196-25-050, filed 1/21/04, effective 2/21/04. Statutory Authority: RCW 18.43.035. WSR 99-15-053, § 196-25-050, filed 7/15/99, effective 8/15/99.]~~

WAC 196-25-060 Offer to practice by all businesses. Sole Proprietorship or Partnership.—The offer to practice or provide engineering or land surveying services to the public by a sole proprietorship, partnership or other organization must be made by or under the direct supervision of a licensee qualified to offer said services under the provisions of chapter 18.43 RCW.

The practice of engineering or land surveying by a partnership offering engineering or land surveying services must employ at least one licensed engineer or land surveyor that can provide professional services and/or direct supervision over said services.

[Statutory Authority: RCW 18.43.035. WSR 99-15-054, § 196-25-060, filed 7/15/99, effective 8/15/99.]

WAC 196-25-070 Providing direct supervision.

Direct supervision by a licensee is described as follows:

(1) means the actions by which a licensee maintainin~~g~~ control over those decisions that are the basis for the findings, conclusions, analyses, rationale, details, and judgments

required for the preparation of engineering or land surveying plans, specifications, plats, surveys, land descriptions as defined by WAC 332-130-020, reports, as-built documents prepared by the licensee, and related activities.

~~Direct supervision~~

~~(1)~~(2) requires providing personal direction, oversight, inspection, observation and supervision of the work being certified.

(3) These actions may include, but are not limited to: Direct face-to-face communications; written communications; U.S. mail; electronic mail; facsimiles; telecommunications, or other current technology.

(4) Contractual or employment relations must be in place between the licensee and unlicensed preparer to qualify as direct supervision.

~~(2)~~(5) Mentoring is not direct supervision. Reviewing Drawing or other document documents as defined by WAC 196-23-020, ~~review~~ after preparation without involvement in the design and development process as described above cannot be accepted as direct supervision.

[Statutory Authority: RCW 18.43.035. WSR 10-05-017, § 196-25-070, filed 2/4/10, effective 3/7/10; WSR 06-22-033, § 196-25-070, filed 10/25/06, effective 11/25/06. Formerly WAC 196-23-030.]

WAC 196-25-080 Practice by businesses, organizations or public agencies. When a business, organization or public agency offers or performs engineering or land surveying services as defined in RCW 18.43.020, the business, organization or public agency shall perform its duties and responsibilities in the same manner as an individual, in accordance with RCW 18.43.130(8)(f) & (10)(f), chapter 18.43 RCW, chapter 18.130-235 RCW, chapter 18.100 RCW and other applicable statutes and rules.

[Statutory Authority: RCW 18.43.035. WSR 06-22-033, § 196-25-080, filed 10/25/06, effective 11/25/06. Formerly WAC 196-23-050.]

Chapter 196-23 WAC

STAMPING AND SEALS

Last Update: 11/2/18

WAC

196-23-010 Seals.

196-23-020 Seal/stamp usage.

196-23-040 Use of the title S.E.

196-23-070 Signature.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

196-23-030 Providing direct supervision. [Statutory Authority: RCW 18.43.035. WSR 99-15-050, § 196-23-030, filed 7/15/99, effective 8/15/99.] Repealed by WSR 06-22-034, filed 10/25/06, effective 11/25/06. Statutory Authority: RCW 18.43.035. Later promulgation, see WAC 196-25-070.

196-23-050 Practice by businesses, organizations or public agencies. [Statutory Authority: RCW 18.43.035. WSR 99-15-056, § 196-23-050, filed 7/15/99, effective

8/15/99.] Repealed by WSR 06-22-034, filed 10/25/06,
effective 11/25/06. Statutory Authority: RCW

18.43.035. Later promulgation, see WAC 196-25-080.

WAC 196-23-010 Seals. All individuals licensed in accordance with chapter 18.43 RCW must utilize a seal/stamp that conforms to the design as authorized by the board. It is the responsibility of the licensee to maintain control over the use of his/her stamp/seal. The impression or image of the seal/stamp must conform to the below-illustrated design and be of a size that assures full legibility of the following required information:

- (1) State of Washington;
- (2) Registered professional engineer or registered professional land surveyor;
- (3) Certificate number;
- (4) Licensee's name as shown on wall certificate.



[Statutory Authority: RCW 18.43.035. WSR 08-10-009, § 196-23-010, filed 4/24/08, effective 7/1/08; WSR 06-22-036, § 196-23-010, filed 10/25/06, effective 11/25/06; WSR 99-15-058, § 196-23-010, filed 7/15/99, effective 8/15/99.]

WAC 196-23-020 Seal/stamp usage. The use of the seal/stamp must be in accordance with chapter 18.43 RCW or as otherwise described herein:

(1) Final documents are those documents that are prepared and distributed for filing with public officials, use for construction, final agency approvals or use by clients. Any final document must contain the seal/stamp, signature and date of signature of the licensee who prepared or directly supervised the work. For the purpose of this section "document" is defined as plans, specifications, plats, surveys, land descriptions as defined by WAC 332-130-020, reports, and as-built documents prepared by the licensee, ~~and reports.~~

(2) Preliminary documents are those documents not considered final as defined herein, but are released or distributed by the licensee. Preliminary documents must be clearly identified as "PRELIMINARY" or contain such wording so it may be differentiated from a final document. Preliminary

documents must be stamped, but need not be signed or dated by the licensee.

(3) Plan sets: Every page of a plan set must contain the seal/stamp, signature of the licensee(s) who prepared or who had direct supervision over the preparation of the work, and date of signature.

(a) Plans/plats containing work prepared by or under the direct supervision of more than one licensee should be sealed/stamped and dated by each licensee and shall clearly note the extent of each licensee's responsibility.

(b) As provided for in subsections (1) and (2) of this section, each page of a plan set must contain the seal/stamp of the licensee who prepared or who had direct supervision over the preparation of the work.

(c) Plan/plat sheets containing and/or depicting background and/or supporting information that is duplicated from other plans need only be sealed/stamped by the licensee(s) who prepared or was in direct supervision of the design. The origin of the background information shall be noted on the plan sheet.

(d) All design revisions to final plan/plat sheets shall clearly identify on each sheet; the revisions made and shall contain the name and seal of the licensee, and signature of the licensee with the date the sheet was sealed.

(4) Specifications: Specifications that are prepared by or under the direct supervision of a licensee shall contain the seal/stamp, signature of the licensee and the date of signature. If the specifications prepared by a licensee are a portion of a bound specification document that contains specifications other than that of an engineering or land surveying nature, the licensee need only seal/stamp that portion or portions of the documents for which the licensee is responsible. Nothing herein should be construed to require that each page of an engineering or land surveying specification be sealed/stamped by the licensee.

(5) Document review: When a licensee is required to review work prepared by another professional engineer or land surveyor, the reviewing licensee shall fully review those documents and shall prepare a report that discusses the findings of the review with any supporting calculations and sketches. The reviewing

licensee would then seal/stamp, sign and date the report. The report would make reference to and/or be attached to the subject document(s) reviewed.

[Statutory Authority: RCW 18.43.035. WSR 08-10-009, § 196-23-020, filed 4/24/08, effective 7/1/08; WSR 06-22-036, § 196-23-020, filed 10/25/06, effective 11/25/06; WSR 99-15-055, § 196-23-020, filed 7/15/99, effective 8/15/99.]

WAC 196-23-040 Use of the title S.E. Only professional engineers who have completed the state of Washington's requirements for licensure in structural engineering are permitted to use the title of S.E. when representing his or her licensing credential, as in, *James Smith, P.E., S.E.* Use of the title S.E. by any individual who is not licensed in structural engineering as provided in chapter 18.43 RCW, is subject to disciplinary action by the board in accordance with chapter 18.43 RCW and/or chapter 18.235 RCW.

[Statutory Authority: RCW 18.43.035. WSR 06-22-035, § 196-23-040, filed 10/25/06, effective 11/25/06.]

WAC 196-23-070 Signature. The terms "signature or signed," as used in chapter 18.43 RCW and/or Title 196 WAC, means the following:

(1) A handwritten identification or a digital representation of your handwritten identification that represents the act of putting your name on a document to attest to its validity. The handwritten or digital identification must be:

- (a) Original and written by hand, or a scanned image of an original, handwritten identification;
- (b) Permanently affixed to the document(s) being certified;
- (c) Applied to the document by the identified licensee; and
- (d) Placed directly over the seal/stamp of the licensee.

(2) A digital identification that is an electronic authentication process attached to or logically associated with an electronic document. The digital identification may include a scanned or digitized signature. The digital identification must be:

- (a) Unique to the licensee using it;
- (b) Capable of independent verification;
- (c) Under the exclusive control of the licensee using it;

and

(d) Linked to a document in such a manner that the digital identification is invalidated if any data in the document is changed.

[Statutory Authority: RCW 18.43.035, 18.210.050, and 18.210.060. WSR 18-22-076, § 196-23-070, filed 11/2/18, effective 12/3/18. Statutory Authority: RCW 18.43.035. WSR 08-10-009, § 196-23-070, filed 4/24/08, effective 7/1/08; WSR 06-22-036, § 196-23-070, filed 10/25/06, effective 11/25/06. Statutory Authority: Chapters 18.43 and 18.235 RCW. WSR 04-04-001, § 196-23-070, filed 1/21/04, effective 2/21/04. Statutory Authority: RCW 18.43.035. WSR 01-09-017, § 196-23-070, filed 4/6/01, effective 5/7/01.]

Rulemaking report

IN REVIEW:

WAC 196-23 *Stamping and seals* & WAC 196-25 *Business practices*
In review with the Practice Committee.

WAC 196-26A *Registered professional engineers and land surveyor fees* & WAC 196-30 *Fees for on-site wastewater treatment designers and inspectors*
SBEIS exemption docs are being reviewed by AAG. Once this is complete, a CR-102 will be filed.

PROPOSED RULEMAKING (CR-102) FILED:

The Washington State Register (WSR) is a document published by the Office of the Code Reviser. The CR-102s that were recently filed will appear in WSR 21-16 which will be published on August 18, 2021.

WAC 196-09 *Board practices and procedures*
CR-102 was filed with the Office of the Code Reviser on July 26, 2021 under WSR 21-16-027.

WAC 196-12 *Registered professional engineers*
CR-102 was filed with the Office of the Code Reviser on July 26, 2021 under WSR 21-16-028.

WAC 196-20 *Engineers-in-training (TITLE CHANGE) Fundamentals of engineering exam and Engineers-in-training*
CR-102 was filed with the Office of the Code Reviser on July 26, 2021 under WSR 21-16-029.

NEXT STEPS:

Public Hearing:

September 15, 2021 6 pm Via WebEx

Public comment period ends on September 15, 2021.

Information/link will be available at: <https://brpels.wa.gov/about-us/laws-and-rules/rulemaking-activity>

Concise Explanatory Statement RCW 34.05.325(6):

A Concise Explanatory Statement (CES) needs to be completed prior to the Board adopting the language and approving the filing of the CR-103 (Rule Making Order). The intended adoption date is October 21, 2021 (October Board Meeting).

After the comment period ends, staff compiles the oral and written comments (if any) into a CES. Staff will work with the Committee to address the comments received (if any), so at least one committee meeting may need to be held prior to the October Committee/Board meetings.

RCW 34.05.325 Public participation – Concise explanatory statement

(4) The agency head, a member of the agency head, or a presiding officer designated by the agency head shall preside at the rule-making hearing. Rule-making hearings shall be open to the public. The agency shall cause a record to be made of the hearing by stenographic, mechanical, or electronic means. Regardless of whether the agency head has delegated rule-making authority, the presiding official shall prepare a memorandum for consideration by the agency head, summarizing the contents of the presentations made at the rule-making hearing, unless the agency head presided or was present at substantially all of the hearings. The summarizing memorandum is a public document and shall be made available to any person in accordance with chapter [42.56](#) RCW.

(5) Rule-making hearings are legislative in character and shall be reasonably conducted by the presiding official to afford interested persons the opportunity to present comment individually. All comments by all persons shall be made in the presence and hearing of other attendees. Written or electronic submissions may be accepted and included in the record. Rule-making hearings may be continued to a later time and place established on the record without publication of further notice under RCW [34.05.320](#).

(6)(a) Before it files an adopted rule with the code reviser, an agency shall prepare a concise explanatory statement of the rule:

- (i) Identifying the agency's reasons for adopting the rule;
- (ii) Describing differences between the text of the proposed rule as published in the register and the text of the rule as adopted, other than editing changes, stating the reasons for differences; and
- (iii) Summarizing all comments received regarding the proposed rule, and responding to the comments by category or subject matter, indicating how the final rule reflects agency consideration of the comments, or why it fails to do so.

(b) The agency shall provide the concise explanatory statement to any person upon request or from whom the agency received comment.



PROPOSED RULE MAKING

CR-102 (December 2017) (Implements RCW 34.05.320)

Do NOT use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: July 26, 2021

TIME: 8:04 AM

WSR 21-16-027

Agency: Board of Registration for Professional Engineers and Land Surveyors

Original Notice

Supplemental Notice to WSR _____

Continuance of WSR _____

Preproposal Statement of Inquiry was filed as WSR 20-16-109 ; or

Expedited Rule Making--Proposed notice was filed as WSR _____; or

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or

Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) Chapter 196-09 RCW Board practices and procedures.

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
September 15, 2021	6:00 pm	Join via WebEx Meeting number (access code): 1774 35 5700 Meeting password: r2pJmPVMV49 Join by phone +1-415-655-0001 US Toll +1-206-207-1700 United States Toll (Seattle)	In response to the COVID-19 public health emergency, the Board of Registration for Professional Engineers and Land Surveyors will not provide a physical location for this hearing to promote social distancing and the safety of the citizens of Washington State. A virtual public hearing, without a physical space, will be held instead. The public may participate in the hearing by accessing the hearing link on the Board's rulemaking page: https://brpels.wa.gov/about-us/laws-and-rules/rulemaking-activity or calling the phone number provided.

Date of intended adoption: October 21, 2021 (Note: This is **NOT** the effective date)

Submit written comments to:

Name: Shanán Gillespie

Address: PO Box 9025 Olympia WA 98507-9025

Email: Shanán.Gillespie@brpels.wa.gov

Fax:

Other:

By (date) September 15, 2021

Assistance for persons with disabilities:

Contact Shanán Gillespie

Phone: 360-664-1570

Fax:

TTY: 711 or 1-800-833-6388

Email: Shanán.Gillespie@brpels.wa.gov

Other:

By (date) September 14, 2021

Purpose of the proposal and its anticipated effects, including any changes in existing rules: Review and revision of existing rules were initiated because of the 2019 legislation making the Board of Registration for Professional Engineers and Land Surveyors an independent state agency, which lead to an overall review and update to Title 196 WAC.

Reasons supporting proposal: Changes to current language, and the addition of new language will help licensees, and the public understand agency processes, including adjudicative proceedings, the complaint process, how to request public records, board member limitations, and change of address.

Statutory authority for adoption: RCW 18.43.035

Statute being implemented: Chapter 18.43 RCW

Is rule necessary because of a:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization) Board of Registration for Professional Engineers and Land Surveyors

<input type="checkbox"/> Private
<input type="checkbox"/> Public
<input checked="" type="checkbox"/> Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Shanan Gillespie	605 11 th Ave SE Ste 201 Olympia WA 98501	360-664-1570
Implementation:	Ken Fuller	605 11 th Ave SE Ste 201 Olympia WA 98501	360-968-4805
Enforcement:	Ken Fuller	605 11 th Ave SE Ste 201 Olympia WA 98501	360-968-4805

Is a school district fiscal impact statement required under RCW 28A.305.135? Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Is a cost-benefit analysis required under RCW 34.05.328?

Yes: A preliminary cost-benefit analysis may be obtained by contacting:

Name:
Address:
Phone:
Fax:

TTY:
Email:
Other:

No: Please explain: The Board of Registration for Professional Engineers and Land Surveyors is not one of the agencies to which RCW 34.05.328 applies pursuant to RCW 34.05.328(5)(a).

Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

- | | |
|--|---|
| <input checked="" type="checkbox"/> RCW 34.05.310 (4)(b)
(Internal government operations) | <input type="checkbox"/> RCW 34.05.310 (4)(e)
(Dictated by statute) |
| <input type="checkbox"/> RCW 34.05.310 (4)(c)
(Incorporation by reference) | <input type="checkbox"/> RCW 34.05.310 (4)(f)
(Set or adjust fees) |
| <input type="checkbox"/> RCW 34.05.310 (4)(d)
(Correct or clarify language) | <input checked="" type="checkbox"/> RCW 34.05.310 (4)(g)
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit) |

This rule proposal, or portions of the proposal, is exempt under RCW ____.

Explanation of exemptions, if necessary:

COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES

If the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

No Briefly summarize the agency's analysis showing how costs were calculated. _____

Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Date: July 26, 2021

Name: Ken Fuller

Title: Director

Signature:



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

NEW SECTION

WAC 196-09-012 Definitions. The following definitions shall apply to this chapter:

(1) "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.

(2) "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.

(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) "Presiding officer" means a member of the board who may preside over a full board hearing, conduct prehearing conferences, or perform a brief adjudicative proceeding.

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

NEW SECTION

WAC 196-09-015 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 violations of chapter 18.43 or 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 acknowledgment 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 196-09-018 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 Procedure Act, chapters 34.05 RCW and 10-08 WAC.

AMENDATORY SECTION (Amending WSR 98-12-045, filed 5/29/98, effective 7/1/98)

WAC 196-09-020 Adjudicative proceedings. The Administrative Procedure Act, 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.

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) ~~((Whether an applicant has satisfied terms for reinstatement of a license after a period of license restriction, suspension, or revocation;))~~ A denial of application for licensure, including renewal, reinstatement, or denial of eligibility to take examinations;

(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;~~

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

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

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

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

~~(i) Whether an applicant or))~~ (c) 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) Whether))~~ (d) A finding that a person has engaged in false, deceptive, or misleading advertising~~((,))~~, or ~~((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.))~~

AMENDATORY SECTION (Amending WSR 18-21-028, filed 10/5/18, effective 11/5/18)

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:

(~~1~~) (a) All correspondence, including emails, between the applicant or respondent and the board (~~about the renewal or reinstatement;~~

~~1~~) staff regarding an initial determination including copies of applications, renewal notice(s) (~~sent by the department of licensing to the licensee;~~

~~1~~) , denials, or appeals;

(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:

~~1~~ Original complete application with all attachments as submitted by the applicant;

~~1~~) (c) Copies of all supplementary information related to application or complaint review by staff or board member;

(~~1~~) (d) All documents relied upon by board staff in reaching the initial determination (~~of ineligibility;~~

~~1~~ All correspondence between the applicant and the board about the application or appeal.

~~(3)~~);

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

(2) Determination of compliance with previously issued board order:

(~~1~~) (a) The previously issued final order or agreement;

(~~1~~) (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;

(~~1~~) (c) All correspondence between the license holder and the (~~program~~) board regarding compliance with the final order or agreement; and

(~~1~~) (d) All documents relied upon by the (~~program~~) board showing that the license holder has failed to comply with the previously issued final order or agreement.

AMENDATORY SECTION (Amending WSR 04-04-001, 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 presiding officer may ((accept oral)) ask questions and take 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 to make a decision, the proceeding will be converted into a formal hearing.

(4) ~~((In addition to the written record,))~~ 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 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.

AMENDATORY SECTION (Amending WSR 04-04-001, 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 ~~((finding by the board that identifies conduct which is considered misconduct or malpractice and has resulted in the suspension or revocation of the license to practice))~~ board order. Costs subject to reimbursement are those expenses paid by the board during the investigation process, such as expert or consultant witness contracts.

In addition, the disciplinary authority may impose a civil fine in an amount not exceeding one thousand dollars for each day upon which a 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; chapters 18.43 and 18.210 RCW.

AMENDATORY SECTION (Amending WSR 04-04-001, 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.

AMENDATORY SECTION (Amending WSR 06-22-032, filed 10/25/06, effective 11/25/06)

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.))~~

AMENDATORY SECTION (Amending WSR 06-22-032, filed 10/25/06, effective 11/25/06)

WAC 196-09-131 Board member limitations—(~~Transactions~~) Board actions.

(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 ~~((transaction))~~ action;

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

(c) Refrain from attempting to influence the remaining board members in their discussion and vote regarding the specific ~~((transaction))~~ 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) "Transaction" involving the board means a))~~ "Board action" may include any of the following:

(a) An investigation or adjudicative proceeding((τ)):

(b) Application((τ)) or submission((τ)):

~~(c) Request for a ruling or other determination((τ—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, ((determinationτ)) finding, ruling, or order; ((and~~

~~(b) A) or~~

~~(d) Monetary grant, payment, or award((τ—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 in-~~

~~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).~~

AMENDATORY SECTION (Amending WSR 06-22-032, 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 ~~((recu-
sal))~~ it occurs. The board staff should record each instance of exclu-
sion or recusal and the basis for ~~((the exclusion))~~ it in the minutes of the board meetings.

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 request 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 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(8), 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 licenses 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.



PROPOSED RULE MAKING

CR-102 (December 2017) (Implements RCW 34.05.320)

Do NOT use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: July 26, 2021

TIME: 8:09 AM

WSR 21-16-028

Agency: Board of Registration for Professional Engineers and Land Surveyors

Original Notice

Supplemental Notice to WSR _____

Continuance of WSR _____

Preproposal Statement of Inquiry was filed as WSR 20-16-107 ; or

Expedited Rule Making--Proposed notice was filed as WSR _____; or

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or

Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) WAC 196-12 Registered professional engineers.

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
September 15, 2021	6:00 pm	Join via WebEx Meeting number (access code): 1774 35 5700 Meeting password: r2pJmPVMV49 Join by phone +1-415-655-0001 US Toll +1-206-207-1700 United States Toll (Seattle)	In response to the COVID-19 public health emergency, the Board of Registration for Professional Engineers and Land Surveyors will not provide a physical location for this hearing to promote social distancing and the safety of the citizens of Washington State. A virtual public hearing, without a physical space, will be held instead. The public may participate in the hearing by accessing the hearing link on the Board's rulemaking page: https://brpels.wa.gov/about-us/laws-and-rules/rulemaking-activity or calling the phone number provided.

Date of intended adoption: October 21, 2021 (Note: This is **NOT** the effective date)

Submit written comments to:

Name: Shanán Gillespie

Address: PO Box 9025 Olympia WA 98507-9025

Email: Shanán.Gillespie@brpels.wa.gov

Fax:

Other:

By (date) September 15, 2021

Assistance for persons with disabilities:

Contact Shanán Gillespie

Phone: 360-664-1570

Fax:

TTY: 711 or 1-800-833-5388

Email: Shanán.Gillespie@brpels.wa.gov

Other:

By (date) September 14, 2021

Purpose of the proposal and its anticipated effects, including any changes in existing rules: Changes to WAC 196-12 Professional Engineers, are necessary due to updates to RCW 18.43 in 2019, and to clarify the processes and requirements for licensure as a professional engineer in Washington. This rule change will impact all applicants applying for licensure as a Professional Engineer or Structural Engineer in Washington, but they will have no additional costs to implement and comply.

Reasons supporting proposal: The amendments, and new sections, better define the requirements for licensure, the different ways an applicant can apply for licensure, and allows more flexibility to the Board to consider different types of education and experience that do not follow the “normal” path to licensure.

Statutory authority for adoption: RCW 18.43.035

Statute being implemented: RCW 18.43.040

Is rule necessary because of a:

Federal Law? Yes No
Federal Court Decision? Yes No
State Court Decision? Yes No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization) Board of Registration for Professional Engineers and Land Surveyors Private Public Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Shanan Gillespie	605 11 th Ave SE Ste 201 Olympia WA 98501	360-664-1570
Implementation:	Ken Fuller	605 11 th Ave SE Ste 201 Olympia WA 98501	360-968-4805
Enforcement:	Ken Fuller	605 11 th Ave SE Ste 201 Olympia WA 98501	360-968-4805

Is a school district fiscal impact statement required under RCW 28A.305.135? Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Is a cost-benefit analysis required under RCW 34.05.328?

Yes: A preliminary cost-benefit analysis may be obtained by contacting:

Name:
Address:
Phone:
Fax:

TTY:
Email:
Other:

No: Please explain: The Board of Registration for Professional Engineers and Land Surveyors is not one of the agencies to which RCW 34.05.328 applies pursuant to RCW 34.05.328(5)(a).;

Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

RCW 34.05.310 (4)(b)
(Internal government operations)

RCW 34.05.310 (4)(c)
(Incorporation by reference)

RCW 34.05.310 (4)(d)
(Correct or clarify language)

RCW 34.05.310 (4)(e)
(Dictated by statute)

RCW 34.05.310 (4)(f)
(Set or adjust fees)

RCW 34.05.310 (4)(g)
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

This rule proposal, or portions of the proposal, is exempt under RCW _____.

Explanation of exemptions, if necessary:

COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES

If the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

No Briefly summarize the agency's analysis showing how costs were calculated. _____

Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Date: July 26, 2021

Name: Ken Fuller

Title: Director

Signature:



AMENDATORY SECTION (Amending WSR 04-04-001, filed 1/21/04, effective 2/21/04)

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

AMENDATORY SECTION (Amending WSR 18-10-085, filed 5/1/18, effective 6/1/18)

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 license 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~~((7))~~ and progressive ~~((experience))~~ to include gaining knowledge and comprehension of engineering subjects and applying engineering principles.

(2) ~~((Receive a))~~ **Examination requirements:** An applicant must have received 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 independently verified by a NCEES member board, or a board approved foreign jurisdiction.

(a) (i) **Fundamentals of engineering examination** must meet the following requirements:

(ii) The examination must be either:

(A) 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);~~

~~((3) Receive a passing score on the NCEES)); or~~

(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).

(b) **Principles and practice of engineering** ~~((PE))~~ **examination** ~~((7~~

~~((4)))~~;

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.

(3) Additional licensure requirements:

An applicant must meet the following additional requirements for licensure:

- (a) Receive a passing score on the Washington law review;
 - ((5) Be of good character and reputation) (b) Fully complete the application form to the satisfaction of the board; and
 - ((6) Payment of) (c) Pay 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.))

NEW SECTION

WAC 196-12-013 FE examination application. (1) **ABET accredited degree applicants.** For those who have attended ABET accredited degree programs and now 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.

(2) **All other applicants.** Those who do not meet the requirements of subsection (1) of this section 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.

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 the PE exam and licensure concurrently, those who have already taken the PE examination in another jurisdiction but have not obtained their initial license, and those who are already licensed in another jurisdiction and are seeking a license in Washington state.

(1) **Current 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. 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 Washing-

ton, 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, 196-12-020, and 196-12-021; and RCW 18.43.040.

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

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

(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.

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

AMENDATORY SECTION (Amending WSR 08-11-100, filed 5/20/08, effective 7/1/08)

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

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

AMENDATORY SECTION (Amending WSR 14-07-106, filed 3/19/14, effective 4/19/14)

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

~~((4))~~ (3) 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)).~~

~~((5))~~ (4) A baccalaureate degree in a nonengineering 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.~~

~~(6))~~ (5) An associate degree in engineering from an approved program may be equivalent for up to two years of experience.

~~((7) 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:))~~ (6) Sporadic engineering related education may be considered as experience by the board at its discretion. For example, one or two engineering classes taken at a time, often at different schools; (seminars; workshops; and) 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) compare 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. 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))~~ satisfactory to the board to award years of experience.

(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) determined at the discretion of the board.

~~((9))~~ (7) Any other education ~~((will))~~ may be taken into account and evaluated on its merits by the board.

~~((10))~~ (8) 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.

AMENDATORY SECTION (Amending WSR 14-07-106, filed 3/19/14, effective 4/19/14)

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.

AMENDATORY SECTION (Amending WSR 18-10-085, filed 5/1/18, effective 6/1/18)

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)) form provided by the board including supporting documentation, as listed in WAC 196-12-010, 196-12-014, 196-12-020, 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 196-12-014, including testing that adequately measures the fundamentals of engineering and principles and practice of engineering.

AMENDATORY SECTION (Amending WSR 18-10-085, filed 5/1/18, effective 6/1/18)

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 currently 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))~~ (12);

(b) Be progressive in difficulty and magnitude;

(c) Demonstrate breadth and depth of seismic design ((subject matter)) and detailing experience for projects in seismic regions similar to those located in Washington state;

(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 for projects in seismic regions similar to those located in Washington state; and

(3) Pass a board approved structural exam.

AMENDATORY SECTION (Amending WSR 08-11-100, filed 5/20/08, effective 7/1/08)

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.

AMENDATORY SECTION (Amending WSR 08-11-100, filed 5/20/08, effective 7/1/08)

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:

(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.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 196-12-011 Application requirements.

WAC 196-12-012 Reexamination requirements.



PROPOSED RULE MAKING

CR-102 (December 2017) (Implements RCW 34.05.320)

Do NOT use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: July 26, 2021

TIME: 8:14 AM

WSR 21-16-029

Agency: Board of Registration for Professional Engineers and Land Surveyors

Original Notice

Supplemental Notice to WSR _____

Continuance of WSR _____

Preproposal Statement of Inquiry was filed as WSR 20-06-023 ; or

Expedited Rule Making--Proposed notice was filed as WSR _____; or

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or

Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) WAC 196-20 Engineers-in-training

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
September 15, 2021	6:00 pm	Join via WebEx Meeting number (access code): 1774 35 5700 Meeting password: r2pJmPVMV49 Join by phone +1-415-655-0001 US Toll +1-206-207-1700 United States Toll (Seattle)	In response to the COVID-19 public health emergency, the Board of Registration for Professional Engineers and Land Surveyors will not provide a physical location for this hearing to promote social distancing and the safety of the citizens of Washington State. A virtual public hearing, without a physical space, will be held instead. The public may participate in the hearing by accessing the hearing link on the Board's rulemaking page: https://brpels.wa.gov/about-us/laws-and-rules/rulemaking-activity or calling the phone number provided.

Date of intended adoption: October 21, 2021 (Note: This is **NOT** the effective date)

Submit written comments to:

Name: Shanán Gillespie

Address: PO Box 9025 Olympia WA 98507-9025

Email: Shanán.Gillespie@brpels.wa.gov

Fax:

Other:

By (date) September 15, 2021

Assistance for persons with disabilities:

Contact Shanán Gillespie

Phone: 360-664-1570

Fax:

TTY: 711 or 1-800-833-6388

Email: Shanán.Gillespie@brpels.wa.gov

Other:

By (date) September 14, 2021

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The title of this chapter is being changed to better reflect the subject matter it covers. The proposed title is *Fundamentals of Engineering Exam and Engineers-in-training*. Changes were made to existing rules to clarify eligibility requirements to take the fundamentals of engineering examination and applying for certification as an Engineer-in-Training in Washington.

Reasons supporting proposal: Changes to the current language will allow more flexibility to the Board to consider different types of education and experience for individuals that do not have an accredited engineering degree, and it allows individuals that have passed the fundamentals of engineering exam in another state to apply to become certified as an Engineer-in-Training in Washington.

Statutory authority for adoption: RCW 18.43.035

Statute being implemented: RCW 18.43.040

Is rule necessary because of a:

- Federal Law? Yes No
Federal Court Decision? Yes No
State Court Decision? Yes No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization) Board of Registration for Professional Engineers and Land Surveyors Private Public Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Shanan Gillespie	605 11 th Ave SE Ste 201 Olympia WA 98501	360-664-1570
Implementation:	Ken Fuller	605 11 th Ave SE Ste 201 Olympia WA 98501	360-968-4805
Enforcement:	Ken Fuller	605 11 th Ave SE Ste 201 Olympia WA 98501	360-968-4805

Is a school district fiscal impact statement required under RCW 28A.305.135? Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

- Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Is a cost-benefit analysis required under RCW 34.05.328?

Yes: A preliminary cost-benefit analysis may be obtained by contacting:

- Name:
Address:
Phone:
Fax:

TTY:
Email:
Other:

No: Please explain: The Board of Registration for Professional Engineers and Land Surveyors is not one of the agencies to which RCW 34.05.328 applies pursuant to RCW 34.05.328(5)(a).t

Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

RCW 34.05.310 (4)(b)
(Internal government operations)

RCW 34.05.310 (4)(c)
(Incorporation by reference)

RCW 34.05.310 (4)(d)
(Correct or clarify language)

RCW 34.05.310 (4)(e)
(Dictated by statute)

RCW 34.05.310 (4)(f)
(Set or adjust fees)

RCW 34.05.310 (4)(g)
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

This rule proposal, or portions of the proposal, is exempt under RCW ____.

Explanation of exemptions, if necessary:

COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES

If the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

No Briefly summarize the agency's analysis showing how costs were calculated. _____

Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Date: July 26, 2021

Name: Ken Fuller

Title: Director

Signature:



Chapter 196-20 WAC
FUNDAMENTALS OF ENGINEERING EXAM AND ENGINEERS-IN-TRAINING

AMENDATORY SECTION (Amending WSR 04-10-067, filed 5/3/04, effective 6/3/04)

WAC 196-20-005 Declaration and purpose. This chapter contains rules and procedures for applications(~~(7)~~) and eligibility (~~(and)~~) to take the fundamentals of engineering examination(~~(s to be enrolled as engineers-in-training)~~) and to apply for an engineer-in-training certificate.

NEW SECTION

WAC 196-20-007 Fundamentals of engineering exam. Approval to sit for the fundamentals-of-engineering examination (FE) is based upon satisfactory evidence that the applicant has completed a minimum of four years of practical engineering experience or four years of engineering education or a combination of both, as approved by the board.

(1) Experience: Qualifying practical experience should include some or all of the following:

(a) Preparation of technical reports and specifications, including graphics;

(b) Application of mathematical techniques to problem solving;

(c) Application of the basic physical sciences (chemistry, physics, statics, and dynamics, etc.) in tasks;

(d) Performing assignments, experiments and tests to general specifications;

(e) Compilation and interpretation of data (statistical analysis, etc.);

(f) Executing engineering tasks according to instructions;

(g) Effective communication with associates and presenting recommendations and conclusions to supervisor;

(h) Knowledge of the impacts of the products of technology on society (i.e., energy/environmental considerations).

(2) Education: A baccalaureate in engineering from an ABET accredited program meets the four-year requirement. Other education will be evaluated by the board.

(3) Any qualifying practical engineering experience may be combined with education to meet the four-year requirement as approved by the board.

(4) Approval to take the FE exam cannot be relied upon for approval to take the professional engineer (PE) examination.

AMENDATORY SECTION (Amending WSR 14-07-106, filed 3/19/14, effective 4/19/14)

WAC 196-20-010 (~~((How do I become eligible and register to take the))~~) Fundamentals of engineering exam(?) registration process. (1) ~~((In order to be eligible to take the fundamentals of engineering exam, you must complete four years of education and/or experience as delineated in WAC 196-20-020.~~

~~(2))~~ If you have completed a baccalaureate degree program which is accredited by the ~~((engineering accreditation commission (EAC) of the))~~ accreditation board for engineering and technology (ABET) or have achieved senior standing within that program, you ~~((may use the expedited process for FE exam registration as approved by the board))~~ should apply directly to NCEES to take the FE examination.

~~((3))~~ (2) Applicants ~~((that do not meet the EAC educational credit described above must))~~ with education and/or experience other than an ABET accredited degree should submit ~~((the full))~~ their application to the board describing the education and/or experience that would meet the requirements in WAC ~~((196-20-020))~~ 196-20-007 and then obtain written approval from the board prior to registering for the FE exam.

(3) Foreign education: Unless exempted by the board, all applicants with foreign degrees must have a transcript evaluation by a transcript evaluation service as approved by the board. The cost of the evaluation and the information needed to be evaluated is the responsibility of the applicant.

AMENDATORY SECTION (Amending WSR 14-07-106, filed 3/19/14, effective 4/19/14)

WAC 196-20-045 (~~((How do I obtain))~~) Obtaining certification as an engineer-in-training in Washington(?). In order to obtain a certification as an engineer-in-training in Washington ~~((is only available to those applicants who designate Washington as their practice state when registering to take the FE exam and who also)),~~ you must pass the FE exam ~~((. Those that meet the above conditions must)),~~ and submit an application ~~((for certification as an engineer-in-training))~~ to the board that shows you meet the requirements listed in WAC 196-20-007.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 196-20-020 How is experience and education applied toward FE exam eligibility?
- WAC 196-20-030 Fundamentals of engineering examination.

**NCEES Annual Meeting
New Orleans, Louisiana
August 19–20, 2021
DRAFT Meeting Agenda**

Wednesday, August 18

11:00 a.m.–5:00 p.m. 2020–21 board of directors meeting

Thursday, August 19

7:00–8:00 a.m. 2020–21 committee chair breakfast

7:00–8:00 a.m. Breakfast

8:30–11:30 a.m. Breakout forums

- Engineering
- Surveying
- Member board administrators

11:45 a.m.–1:15 p.m. Luncheon

1:30–3:45 p.m. Business session 1

- Call to order, welcome, and Pledge of Allegiance
- Introduction of NCEES board of directors, past presidents, and guests
- Officer reports
 - Approval of 2020 annual meeting minutes
 - Approval of consent agenda
- Committee and task force reports with motions

4:00–5:00 p.m. Zone meetings

6:30 p.m. Dinner

Friday, August 20

7:00–8:00 a.m. Breakfast

8:00–9:00 a.m. Business session 2

- Call to order
- Introduction of new motions to agenda
- Election of 2021–22 president-elect
- Committee and task force reports with motions (continued)

9:15–10:15 a.m. Zone meetings

10:30 a.m.–Noon Business session 3

- Call to order
- Committee and task force reports with motions (continued)

12:15–1:30 p.m. Luncheon

1:45–4:30 p.m. Business session 4

- Call to order
- Committee and task force reports with motions (continued)
- New business
- Unfinished business

6:30 p.m. Dinner

Saturday, August 21

7:30–8:30 a.m. Breakfast

9:00–11:00 a.m. 2021–22 board of directors informational meeting

A full schedule of events will be posted at ncees.org/annual_meeting when registration opens in June.

NCEES 2021 Motions for Annual meeting Summary

Committee Motion #	Endorsed and on Concent Agenda?	Summary
ACCA (advisory committee on council activities)		
ACCA #1	Yes	Appointing and funding representation to the International Engineering alliance (President, President Elect, CEO)
ACCA #2	Yes	Allowing full access to the floor for Associate and Emeritus members
ACCA #3	Yes	Rule amendment to Exam invalidations for candidates not following guidelines for examination
ACCA #4	NO	Add a past president seat to every committee and task force
ACCA #5	Yes	Specifying ACCA Committee make up to match other committees
Committee on Education		
EM1	Yes	Clean up of PHD Rules
EM2	Yes	Clarification of contact hours for PDH's
EM3	Yes	Guidelines for ETAC/ABET engineer tech degree evaluations and cleans up the position statements to match
EM4	Yes	Clean up of associated tables in PS for item above
EM5	Yes	Assigns to the UPLG Committee language into the model rules for PDH's for sitting on technical committees
EM6	Yes	Clean up of Exam policy for allowance of State specific exams and clean up to add FS exam to language
Examination Policy and Procedures committee		
EPP1	Yes	SE exam definition clarification into the PE
EPP2	Yes	Adding headers to the Exam categories
EPP3	Yes	Clarification of the SE exam as a "whole not parts"
EPP4	Yes	Move to exam policy 4 to administration of the exam
EPP5	Yes	header additions
EPP6	Yes	header additions
EPP7	Yes	header additions
EPP8	Yes	Header additions plus language regarding a new depth module request for the PS Exam
EPP9	Yes	Headers for clean up and clarity in language regarding Member boards
EPP10	Yes	Clean up of Language
EPP11	Yes	Clarification to the EPE and EPS committees to coincide with other language
EPP12	Yes	PAKS addition to first exam audit
EPP13	Yes	Changes to Exam Admin policy for clarity and adding headers for consistency

Committee Motion #	Endorsed and on Concent Agenda?	Summary
EPP14	Yes	Clarification of language in exam admin for "bound material", headers for consistency, and language/statement corrections to match other policies
EPP15	Yes	Language correction if other motions pass
EPP16	Yes	Exam results clarification and some corrections added headers
EPP17	Yes	Added headers for consistency
EPP18	Yes	Exam audit "secret shopper" language clarity
EPP19	Yes	Edited language to not preclude CBT Examinations
EPP20	Yes	Pencil and paper for 16 hour SE Exam y NCEES only not allowing member boards to administer
Finance Committee		
FC1	Yes	Raising the limits of authorized independent spending y NCEES executive staff
FC2	Yes	Adding additional (paid travel) authority for NCEES representatives to ABET---
FC3	Yes	Codifying of waving of fees for invitees to NCEES annual business meetings
FC4	Yes	Adoption of operation budget
FC5	Yes	Allowing the NCEES Board to contribute up to \$500,000 to a non-profit without a vote of the council.
Fire protection Task force		
FPTF1	Yes	update and modification of the FP position statement to reflect current language in the profession
Public Outreach Task Force		
POTF1	Yes	Creating and task force for young engineers and surveyors to provide insight and ideas to the Board
Uniform Procedures and Legislative Guidelines Committee		
UPLG1	Yes	Clarification on reinstatement of expired licenses
UPLG2	Yes	Clarification of continuing professional competency hours and credits
UPLG3	Yes	PDH removed self study and clarifications
UPLG4	Yes	Removing field experience specific language from PLS experience
Minutes approval		
	yes	
Board of Directors		
1	Yes	Removing split votes

MOTIONS TO BE PRESENTED AT THE 2021 ANNUAL MEETING (DRAFT)

Advisory Committee on Council Activities (5 motions)

ACCA Motion 1

Move that Administrative Policy 19 be adopted as follows:

AP 19 Representatives to the International Engineering Alliance (IEA) and Related Organizations

- A. NCEES shall be represented at IEA and related organizations by the president, president-elect, and chief executive officer. The president may, subject to approval by the board, appoint substitute representatives.
- B. All travel expenses shall be funded in accordance with Financial Policy 3 and the NCEES Travel Policy.
- C. When seeking election or reelection to an office or an appointment to a committee or working group of IEA or related organizations, an individual must first obtain approval of the NCEES board of directors.

Rationale

As detailed in the discussion in Charge 1, ACCA feels that a policy needs to be added to the *Manual of Policy and Position Statements* to clarify the process for appointing representatives who attend meetings of and/or seek office with IEA and related organizations. It presented the NCEES board of directors with its specific recommendations. After receiving feedback from the board of directors, it decided to propose the language shown above.

Board of directors' position

Endorses, consent agenda

ACCA Motion 2

Move that a Special Committee on Bylaws be charged with incorporating the following amendments into *Bylaws* 3.021 and 3.022.

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

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

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

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

Emeritus Members of NCEES shall have the privilege of the floor ~~upon approval of the presiding officer~~ and may serve on any committee to which duly appointed under the *Bylaws*.

Rationale

Associate members are currently active in the Council and, through their attendance at the annual meeting, have the ability to participate and contribute to the discussion. Emeritus members should be granted the privilege of the floor without having to request permission from the presiding officer. As past board members, emeritus members have a knowledge of the Council and some historical perspective. If someone who is not a member, associate member, or emeritus member requests to speak, it should be up to the presiding officer to decide if that individual will be allowed the floor.

Board of directors' position

Endorses, consent agenda

ACCA Motion 3

Move that the appropriate committee be charged with incorporating the following language into the appropriate place within Examination Administration Policy 8.

EAP 8 Release and Use of Examination Results

All NCEES exam irregularities should be evaluated by NCEES with regard to invalidation of exam results. If a candidate fails to comply with the conditions stated in the *NCEES Examinee Guide*, then NCEES will have the authority to invalidate exam results and, furthermore, shall have the authority to suspend a candidate's ability to take an NCEES exam for up to three years. If deemed appropriate, NCEES shall also have the right to pursue additional restrictions on future testing, civil remedies, and/or criminal remedies.

Rationale

Making these changes will provide consistency in determining exam invalidation for examinees who violate the exam rules provided in the *NCEES Examinee Guide*. Member boards will no longer have to shoulder the responsibility for conducting investigations into exam irregularities. They will still be informed of the identity of any examinee whose results are invalidated, and the reason for invalidation will be noted in the NCEES Enforcement Exchange database.

If the Council approves the revision to EAP 8, the *NCEES Examinee Guide*, *Investigation and Enforcement Guidelines*, and *Security and Administrative Procedures Manual* will also be updated accordingly.

Board of directors' position

Endorses, consent agenda

ACCA Motion 4

Move that a Special Committee on Bylaws be charged with amending the *Bylaws* to allow the president-elect to appoint a past president, when available and interested in serving, as an additional member to a committee or task force without altering committee membership requirements described in other sections of the *Bylaws*.

Rationale

ACCA believes that it is important to use the knowledge and experience of our past presidents. Adding a past president, if they are willing and able to serve, to each committee and task force would allow the Council to spread out and benefit broadly from the experience and knowledge of the past presidents. Most of NCEES' past presidents are now emeritus members and not current member board members. Creating this new position on each committee and task force would not take a committee position away from an existing member board member in favor of an emeritus member. Making the past president's seat on a committee or task force not mandatory would mean that the seat can go unfilled if there are not enough past presidents available to serve.

Financial impact

The proposed 2021–22 NCEES budget has \$1,351 estimated per committee traveler. Assuming that a past president would be assigned to 10 standing committees and an estimated two task forces, the total financial impact would be approximately \$16,500 in the 2022–23 fiscal year.

Board of directors' position

Does not endorse, non-consent agenda

ACCA Motion 5

Move that a Special Committee on Bylaws be charged with incorporating the following language into *Bylaws* 7.02:

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

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

Rationale

ACCA believes it is important to specify the exact number of members from each zone to be in concert with most of the other NCEES standing committees. There would be no specific budget impact to the extent that the ACCA composition in recent years has had two members from each zone. The recent annual budgets have already included the expenses resulting from two members. This motion memorializes the recent experience.

Board of directors' position

Endorses, consent agenda

Committee on Education (6 motions)

Education Motion 1

Move that the UPLG Committee be charged with incorporating the following language into *Model Rules* 240.30 C.

240.30 Continuing Professional Competency

C. Qualifying Activities

PDHs may be earned as follows:

1. Successful completion of college courses
2. Successful completion of short courses, tutorials, webinars, and distance-education courses offered for self-study, independent study, or group study and through synchronous or asynchronous delivery methods such as live, correspondence, archival, or the Internet
3. Presenting or attending qualifying seminars, in-house courses, workshops, or professional or technical presentations made at meetings, conventions, conferences, or educational institutions
4. Teaching or instructing in 1 through 3 above
5. Authoring published papers, articles, books, or accepted licensing examination items
6. Active participation in professional or technical societies or in accrediting organizations
7. [Patents-Obtaining a patent](#)
8. Active participation in educational outreach activities pertaining to professional licensure or the surveying/engineering professions that involve K-12 or higher education students

Rationale

The work required to obtain a patent is usually typically part of a team. Usually, the work is engineering or surveying related. The committee feels that the efforts to obtain a patent are qualifying activities for PDHs. The current language simply states, "patent," and this motion corrects the language to be an action similar to the other items in section C.

Board of directors' position

Endorses, consent agenda

Education Motion 2

Move that the UPLG Committee be charged with incorporating the following language into *Model Rules* 240.30 E:

240.30 Continuing Professional Competency

E. Determination of Credit

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

1. Credit for college or community college approved courses will be based upon course credit established by the college. [The Carnegie definition of a contact hour is based upon a minimum of 15 class meetings. Thus, a unit of credit equates to 3 hours of student work per class \(1-hour lecture plus 2 hours of homework or 3 hours of lab\) for 15 classes.](#)

2. Credit for qualifying seminars and workshops will be based on 1 PDH for each hour of attendance. Attendance at qualifying programs presented at professional and/or technical society meetings will earn PDHs for the actual time of each program.
3. Credit determination for activities in subsections D.6 and D.8 is the responsibility of the licensee (subject to review as required by the board).
4. Credit for activity in subsection D.7, active participation in professional and technical societies (limited to 2 PDHs per organization), requires that a licensee serve as an officer and/or actively participate in a committee of the organization. PDHs are not earned until the end of each year of service is completed.

Rationale

Member boards treat professional development hours earned through college courses differently. Some follow the *Model Rules*; others define the number of hours based on contact hours. The committee feels that the current *Model Rules* addresses PDHs accurately and is providing the amendment above to help clarify why one semester hour is equal to 45 professional development hours.

Board of directors' position

Endorses, consent agenda

Education Motion 3

Move that Position Statement 7 be revised as follows:

PS 7 Evaluation of Applicants with Degrees in Technology

~~NCEES recommends that all member boards of licensure, whose statutes do not otherwise prohibit, be encouraged to observe and adhere to the following criteria for the examination of educational qualifications of applicants for licensure, or license, as professional engineers and surveyors:~~

- ~~A. Graduates of Engineering Technology Accreditation Commission of ABET (ETAC/ABET) accredited, four-year baccalaureate programs in engineering technology may be granted a maximum of two years of educational credit toward professional engineering licensure and four years of educational credit toward professional surveying licensure if the board determines that the degree contains prescribed surveying courses.~~
- ~~B. Applicants who entered ETAC/ABET accredited, four-year baccalaureate programs in engineering technology but did not complete requirements for the four-year baccalaureate degree may be given consideration for educational credit on a prorated basis of one-half year for each year satisfactorily completed, up to a maximum of two years' credit.~~
- ~~C. Graduates of non-ETAC/ABET accredited, four-year baccalaureate programs in engineering technology may be granted a maximum of one year of educational credit.~~

PS 7 Bachelor of Science Degree in Engineering Technology

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

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

Rationale

In reviewing PS 8 and PS 9, the committee decided that the language in PS 7 is not consistent with them and does not appropriately define the bachelor of science degree in engineering technology. Also, the committee believes this change will align the policy statement with current ABET language.

Board of directors' position

Endorses, consent agenda

Education Motion 4

Move that Position Statement 13 be revised as follows:

PS 13 NCEES-Recommended Education/Experience Guidelines for P.E. Licensing

4-Year or More Degree	Years of Experience Required	Comments
EAC/ABET accredited	4	NCEES PS 8
Canada (CEAB) accredited	4	
Non-EAC/ABET or non-CEAB accredited	4 or more	Education should be evaluated using the NCEES Engineering Education Standard.
Recommendations below are only for member boards that must evaluate applicants who do not meet the minimum education of an EAC/ABET or equivalent degree as specified in PS 8.		
ETAC/ABET accredited	6	Needed by some boards NCEES PS 7
Related science*	8	Needed by some boards Education should be evaluated using the NCEES Engineering Education Standard.
No degree	20	Needed by some boards

*A related science curriculum from a school or college approved by the board is defined as a four-year curriculum leading to a bachelor of science degree in chemistry, physics, mathematics, or similar science curriculum.

Rationale

Due to the change in PS 7, the table in PS 13 should be updated to align with PS 7 as well as PS 8. This cleans up the table and gives clear direction to the member boards.

Board of directors' position

Endorses, consent agenda

Education Motion 5

Move that the UPLG Committee be charged with incorporating the following language into *Model Rules* 240.30 D.

240.30 Continuing Professional Competency

D. Units

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

1. 1 semester hour 45 PDHs
2. 1 quarter hour..... 30 PDHs
3. 1 continuing education unit..... 10 PDHs
4. 1 hour of professional development in coursework, seminars, or professional or technical presentations made at meetings, conventions, or conferences 1 PDH
5. For teaching in 1 through 4 above, apply multiple of 2*
6. Publications
 - a. Each published peer-reviewed paper or book in the licensee’s area of professional practice 10 PDHs
 - b. Each published paper or article (other than 6.a above) in the licensee’s area of professional practice..... 5 PDHs
7. Active participation in professional and technical society (each organization) 2 PDHs
8. Each patent..... 10 PDHs

- 9. [Active participation in standards or code development technical committees, standards, or code commissions](#) up to 4 PDHs
- 910. 1 hour of outreach activities 1 PDH (not to exceed 3 PDHs)

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

Rationale

Volunteers who hold P.E./P.S. licenses and are active in standards or codes development spend many hours collaborating to develop these standards and guides. The work required to develop codes and standards is engineering or surveying related. The committee feels that the efforts to develop codes and standards within the engineering and surveying professions are qualifying activities for PDHs.

Board of directors' position

Endorses, consent agenda

Education Motion 6

Move that Examination Administration Policy 5 and Position Statement 15 be revised as follows:

EAP 5 NCEES Examinations Offered by a Member Board Within Its Jurisdiction

- A. A member board may offer NCEES examinations only in its jurisdiction. The member board must make suitable arrangements to protect the confidentiality and security of the examinations according to NCEES guidelines. Administration of examinations must conform to the NCEES scheduled timeframes for examinations. Individual applicants should apply to the sponsoring jurisdiction in accordance with that jurisdiction's operating policies and procedures. This policy does not preclude an examinee from sitting for a CBT examination in a different jurisdiction.
- ~~B. NCEES may provide directly to a university or college FE or FS examination data that will help measure learning outcomes of the total engineering or surveying education.~~
- ~~C. Member boards are encouraged to sponsor or otherwise facilitate use of the FE and FS examination results for internal use of institutional outcomes assessment, but such use should not subordinate or endanger the function, concept, or security of the FE or FS examination's primary purpose as the first examination for professional licensure, in keeping with the underlying mission of safeguarding the health, safety, and welfare of the public.~~
- ~~D. This policy does not preclude a member board from offering the examinations at an NCEES-approved site to U.S. military personnel stationed at military bases outside the United States.~~

PS 15 FE or FS Examination as an Outcomes Assessment Tool

- A. Engineering [and surveying](#) programs should strongly consider using the FE [or FS](#) exam topic-level performance data as part of their program assessment, with proper regard for the caveats described.*
- B. Programs that will gain the most from using the FE [or FS](#) exam as an assessment tool are those programs in which all students are required to take the FE [or FS](#) exam, all students are required to take the discipline-specific exam ([applicable to the FE exam only](#)), the faculty establish specific goals for their program, and comparisons are made with peer institutions that have similar requirements.
- ~~C. Member boards should become proactive in working with academic programs to stress the use and value of the FE exam as an assessment tool.~~
- ~~C. Member boards are encouraged to sponsor or otherwise facilitate use of the FE and FS examination results for internal use of institutional outcomes assessment, but such use should not subordinate or endanger the function, concept, or security of the FE or FS examination's primary purpose as the first examination for professional licensure, in keeping with the underlying mission of safeguarding the health, safety, and welfare of the public.~~
- D. Institutions must remember that the primary purpose of the FE [or FS](#) is to assess minimal technical competencies. Other assessment tools need to be used to assess higher-level theories or critical thought that might be the focus of some portion of their program.
- E. The results of each FE [or FS](#) exam should be sent directly to institutions for their use. [NCEES may provide directly to a university or college additional FE or FS examination data that will help measure learning outcomes of the total engineering or surveying education.](#)

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

Rationale

EAP sections B and C are clearly out of place since they are not associated with the offering of examinations by member boards. The committee feels that those two items are better suited to be part of the position statement on the use of the fundamentals exams for outcomes assessment. The committee also added the FS exam to section E to match current practice.

Board of directors' position

Endorses, consent agenda

Committee on Examination Policy and Procedures (20 motions)

EPP Motion 1

Move that Exam Development Policy 1 be amended as follows:

EDP 1 Examinations

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

- A. Fundamentals of Engineering (FE) examination
- B. Principles and Practice of Engineering (PE) examination, ~~including which includes~~ the 16-hour Structural Engineering (SE) examination
- C. Fundamentals of Surveying (FS) examination
- D. Principles and Practice of Surveying (PS) examination

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

Rationale

This change gives a more complete definition of the Structural Engineering exam.

Board of directors' position

Endorses, consent agenda

EPP Motion 2

Move that Exam Development Policy 3 be amended as follows:

EDP 3 Engineering and Surveying Examinations and Formats

- A. ~~The Fundamentals of Engineering examination shall be administered via computer-based testing (CBT) and have supplied references.~~
Fundamentals of Engineering Examination
The Fundamentals of Engineering examination shall be administered via computer-based testing (CBT) and have supplied references.
- B. Principles and Practice of Engineering Examinations
The Principles and Practice of Engineering examinations shall be offered ~~only~~ in the following disciplines and shall be open-book, pencil-and-paper examinations or offered via CBT with supplied references as defined in EAP 4:
 1. Agricultural and Biological
 2. Architectural
 3. Chemical
 4. Civil
 5. Control Systems
 6. Electrical and Computer—Computer Engineering
 7. Electrical and Computer—Electronics, Controls, and Communications
 8. Electrical and Computer—Power
 9. Environmental
 10. Fire Protection
 11. Industrial and Systems
 12. Mechanical—HVAC and Refrigeration

13. Mechanical—Machine Design and Materials
 14. Mechanical—Thermal and Fluid Systems
 15. Metallurgical and Materials
 16. Mining and Mineral Processing
 17. Naval Architecture and Marine
 18. Nuclear
 19. Petroleum
 20. 16-hour Structural Engineering
- C. [Surveying Examinations](#)
The surveying examinations shall be available as follows:
1. The Fundamentals of Surveying examination shall be administered via CBT and have supplied references.
 2. The Principles and Practice of Surveying examination shall be administered via CBT and have supplied references.
 3. Member boards shall reserve the right to administer, score, and report state-specific examinations.
- D. [Examination Item Banks](#)
Examination items for all examinations shall be maintained ~~solely either~~ at NCEES headquarters or at an offsite testing service that is able to demonstrate insurance, bond, or reserve to cover the pecuniary liability for the items should the items be compromised, lost, or damaged by the testing service.
1. At the time an exam development committee releases a linear, fixed form (LFF) exam to be published, the exam item bank shall contain sufficient operational items to create three times the number of [exam](#) forms available to examinees in a testing window.
 2. At the time an exam development committee releases a pool of items to be published for linear-on-the-fly testing (LOFT), the pool shall contain, at a minimum, the number of operational items required to create three unique, non-overlapping [exam](#) forms. At the time of publishing, the exam item bank shall have sufficient operational items to create two additional pools of similar composition. Pool size will be determined by the psychometric consultant per the criteria listed in the NCEES *Exam Development Procedures Manual*.
- E. [Exam Contingency Plans](#)
The chief executive officer shall have contingency plans available in the event of any irregularity that impacts the security of an exam or the ability to administer an exam per NCEES exam policies or prescribed schedules.
- F. [Exam Preparation Material Development](#)
Exam preparation material shall be developed for each NCEES examination. This material shall provide sample questions and solutions on each major topic area sufficient to provide candidates with a sense of the structure, scope, and difficulty of the examination. Exam preparation material shall remain current and be available six months prior to the administration of an examination.

Rationale

The committee added headers for consistency, to make it easier to find specific topics, to remove extra adjectives, and to clarify the term “forms.” Note: Additional changes to EDP 3B are being proposed in Motion 3.

Board of directors’ position

Endorses, consent agenda

EPP Motion 3

Move that Exam Development Policy 3B, Exam Development Policy 15B, and Exam Administration Policy 8E be amended as follows:

EDP 3 Engineering and Surveying Examinations and Formats

- B. The Principles and Practice of Engineering examination shall be offered only in the following disciplines and shall be open-book, pencil-and-paper examinations or offered via CBT with supplied references as defined in EAP 4:
20. 16-hour Structural Engineering
[The 16-hour Structural Engineering examination shall consist of two 8-hour components: the Vertical Forces \(gravity/other\) and Incidental Lateral component and the Lateral Forces \(wind/earthquake\) component. The 16-hour Structural Engineering examination shall be considered and referred to as one examination.](#)

EDP 15 Reporting of Scores

~~B.—16-Hour Structural Engineering~~

~~The Structural Engineering examination shall be considered and referred to as one 16-hour examination.~~

~~The Structural Engineering examination shall consist of two 8-hour components: the Vertical Forces (gravity/other) and Incidental Lateral component and the Lateral Forces (wind/earthquake) component. A candidate must receive acceptable results on both 8-hour components to pass the Structural Engineering examination. A candidate may sit for each component in separate exam administrations.~~

~~A component results notice will be transmitted to the member board for each administration that a candidate takes a component. After a candidate has received an acceptable result on both components, an examination pass notice will be transmitted to the member board to indicate that the candidate has passed the Structural Engineering examination.~~

EAP 8 Release and Use of Examination Results

~~E. The Structural Engineering examination shall be considered and referred to as one 16-hour examination.~~

~~For the 16-hour Structural Engineering examination, a candidate may sit for either component in separate exam administrations but must receive acceptable results on both components within a five-year period in order to pass the examination.~~

~~A component results notice will be transmitted to the member board for each administration in which a candidate takes a component. Receiving an acceptable result on only one 8-hour component shall not be sufficient for any licensure purposes. After a candidate has received an acceptable result on both components, an examination pass notice will be transmitted to the member board to indicate that the candidate has passed the 16-hour Structural Engineering examination.~~

Rationale

The deleted language in EDP 15 B is being moved to more appropriate policies or eliminated to remove redundancy with other policies. EAP 8 is being modified for clarity and to be consistent with this year's EPP recommendation in Charge 3. If this motion passes, EDP 15 C and D will be renumbered accordingly. Note: Additional changes to EAP 8E are being proposed in Motion 16.

Board of directors' position

Endorses, consent agenda

EPP Motion 4

Move that Exam Development Policy 4 be deleted.

EDP 4 Availability

~~A. The following examinations shall be available on a regular schedule per EAP 2:~~

- ~~1. Fundamentals of Engineering~~
- ~~2. Principles and Practice of Engineering~~
- ~~3. Fundamentals of Surveying~~
- ~~4. Principles and Practice of Surveying~~

~~B. Depth modules for the Principles and Practice of Surveying examination shall be offered on a regular schedule as adopted by the board of directors.~~

~~C. CBT examinations shall be made available in testing windows.~~

Rationale

This information is more associated with administering the exams, not developing them; therefore, it should not be a development policy. It is also adequately covered in EAP 2. If this motion passes, EDP 5-17 will be renumbered accordingly.

Board of directors' position

Endorses, consent agenda

EPP Motion 5

Move that Exam Development Policy 5 be amended as follows:

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

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

Rationale

The committee added headers for consistency and to make it easier to find specific topics.

Board of directors' position

Endorses, consent agenda

EPP Motion 6

Move that Exam Development Policy 6 be amended as follows:

EDP 6 Adoption of a New Discipline-Specific FE Examination

- A. [Accreditation Requirement](#)
No discipline shall be added to the examination program unless there is an EAC/ABET-accredited program in the discipline.
- B. [Member Board Requirement](#)
Requests for the discipline-specific FE examination must be made by no fewer than 10 member boards collectively who can each demonstrate a need for that discipline in their jurisdiction. Requests shall include proof of such need, estimate of usage, and impact on safeguarding the health, safety, and welfare of the public. Proof of such need shall include evidence that knowledge areas and skills are not adequately measured in an existing FE examination and evidence that those knowledge areas and skills are required for the discipline are sufficient to support a new FE examination.
- C. [Notification to Member Boards](#)
Member boards shall be notified at least one year in advance of the addition of any discipline-specific module to the FE examination program.

Rationale

The committee added headers for consistency and to make it easier to find specific topics.

Board of directors' position

Endorses, consent agenda

EPP Motion 7

Move that Exam Development Policy 8 be amended as follows:

EDP 8 Deleting/Combining/Renaming a Discipline or Module from the Examination Program

A. [Deleting/Combining of Pencil-and-Paper Examinations](#)

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

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

B. [Deleting/Combining of CBT Examinations](#)

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

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

C. [Request to Delete an Examination or Module](#)

If an NCEES committee, technical society, or other group desires to have an examination or module deleted, it should make a request to the EPE/EPS Committee. The EPE/EPS Committee will review the request and make a recommendation to the board of directors.

D. [Request to Rename an Examination](#)

Any requests to rename an examination or module or to combine two or more discipline examinations or modules should also be made to the EPE/EPS Committee. Requests shall include proof of such need, estimate of usage, and impact on safeguarding the health, safety, and welfare of the public. Proof of such need shall include evidence that knowledge areas and skills are not measured adequately in an existing examination or module and evidence that those knowledge areas and skills required for the discipline are sufficient to support a new, combined, or renamed examination or module. The EPE/EPS Committee will review the request and make a recommendation to the board of directors.

E. [Adequate Item Bank Requirement](#)

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

1. Continue to prepare the examination or module.
2. Discontinue the examination or module.
3. ~~Put Place~~ the examination ~~or module~~ on probation and recommend specific remedial action that may include contracting for item writing with an outside entity or other such action as the EPP Committee

deems appropriate. If such remedial action fails to cause the examination to meet the requirements of paragraph D of EDP 3 within one year after the examination was put on probation, the EPP Committee shall recommend appropriate action to the board of directors.

F. [Sufficient Data for Exam Audit Requirement](#)

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

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

G. [Temporary Suspension of an Examination](#)

If, upon the chief executive officer's recommendation and an EPE/EPS Committee evaluation, the board of directors determines that an examination does not meet the policies, specifications, and/or guidelines of the Council, the board of directors may temporarily suspend the offering of an examination in that particular discipline.

Rationale

The committee added headers for consistency and to make it easier to find specific topics.

Board of directors' position

Endorses, consent agenda

EPP Motion 8

Move that Exam Development Policy 10 be amended as follows:

EDP 10 Adoption of a New Depth Module for the PS Examination

~~A. No depth module shall be added to the Principles and Practice of Surveying examination unless and until no fewer than 10 member boards collectively request the module. Requests shall include proof of need, estimates of usage, and impact on safeguarding the health, safety, and welfare of the public.~~

~~A. Member Board Requirement~~

~~Requests for depth modules shall be made by no fewer than 10 member boards collectively who can each demonstrate a need for the depth module in their jurisdiction. A request older than four years must be reaffirmed by the member board. Requests shall include proof of such need, estimate of usage, and impact on safeguarding the health, safety, and welfare of the public. Proof of need shall include evidence that knowledge areas and skills are not adequately measured in an existing examination or module and that additional knowledge areas and skills required for the discipline are sufficient to support a new module.~~

~~B. Minimum Number of Exam Candidates~~

~~No discipline or depth module shall be added or reinstated to the examination program unless the number of candidates for an ongoing examination conforms to NCEES policies and procedures. If that is demonstrated, a professional activities and knowledge study (PAKS) shall be conducted to establish that the addition in question is composed of a unique set of knowledges important for safeguarding the health, safety, and welfare of the public.~~

~~C. Statutory Requirement for a Depth Module~~

~~A depth module must address a distinct PS practice area included within statutory coverage of the ~~10 requesting jurisdictions~~ in the member boards requesting the module.~~

~~CD. CBT Format Requirement~~

~~The request shall include a plan to develop the exam in CBT format.~~

~~DE. Notification to Member Boards~~

~~Member boards shall be notified one year in advance of the addition of any depth module to the PS examination.~~

Rationale

The committee added headers for consistency and to make it easier to find specific topics. It revised language to more closely follow the wording and structure of EDP 5C and EDP 6B. It also revised the new paragraph C for clarity.

Board of directors' position

Endorses, consent agenda

EPP Motion 9

Move that Exam Development Policy 11 be amended as follows:

EDP 11 Item Writers, Pass-Point Evaluators, Reviewers, and Scorers

A. [Qualification Requirement](#)

Each person involved as an item writer, pass-point evaluator, reviewer, or scorer for the NCEES PE or PS examinations must have an active professional license issued by an NCEES member board, must be qualified in the appropriate discipline, and must be familiar with requirements for and capabilities of candidates who are minimally qualified to practice in that discipline. Engineers and surveyors with licenses that have inactive or retired status are ineligible to serve in these positions.

B. [Pass-Point Evaluation Team Requirements](#)

Exam committees shall require that at least one person who [participates on the pass-point evaluation team be a person who](#) has worked on the current development of an examination undergoing a pass-point evaluation ~~will participate on the pass-point evaluation team~~. The number of current exam development members participating in the pass-point evaluation ~~for Group I exams shall be no more than one-quarter of the pass-point evaluation team and for Group II exams shall be no more than one-third of the pass-point evaluation team~~. Any exam committee member involved in preliminary testing of the examination undergoing the pass-point evaluation shall be excluded from participating on the pass-point evaluation team for that examination.

C. [Restriction on Teaching Refresher Courses](#)

Any person serving on an NCEES examination development committee or involved in a pass-point evaluation panel shall not teach a refresher course related to that examination within three years ~~of~~[after](#) serving on the committee or panel.

D. [Exam Developers Requirement](#)

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

Rationale

The committee added headers for consistency and to make it easier to find specific items; it also edited language for consistency and clarity.

Board of directors' position

Endorses, consent agenda

EPP Motion 10

Move that Exam Development Policy 13 be amended as follows:

EDP 13 Security of Examination Material

No items or item banks in current use for NCEES examinations shall be used for any purpose outside of the NCEES examination program.

~~All member boards shall observe approved NCEES requirements.~~

Rationale

The committee feels that the sentence is not needed.

Board of directors' position

Endorses, consent agenda

EPP Motion 11

Move that Exam Development Policy 16 be amended as follows:

EDP 16 EPE and EPS Committee Members

Committee Qualifications

Members of the EPE and EPS Committees should, ~~to the extent practicable, be representatives of the engineering and surveying disciplines within the various~~ include current and/or past representatives from their respective exam development committees.

Rationale

The committee is proposing these changes to make the language more consistent with other language in the policy manual.

Board of directors' position

Endorses, consent agenda

EPP Motion 12

Move that Exam Development Policy 17 be amended as follows:

EDP 17 Examination Audits

The Examination Audit Committee shall audit all examinations developed by NCEES. The following constraints shall be used:

A. Pencil-and-paper examinations

1. All benchmark exams, which are the first exams administered following a professional activities and knowledge study (PAKS), shall be audited.
2. Each exam shall be audited at least once between benchmark exam audits.
3. There shall be no more than four years between audits.

B. CBT examinations

1. CBT representative examinations (as created by the testing service psychometrician) from the benchmark item pool, which is the first item pool following a PAKS, shall be audited.
2. CBT representative examinations shall be audited at least once between benchmark item pool audits.
3. There shall be no more than four years between audits.

The president-elect shall, in developing charges for the Examination Audit Committee, develop a list of examinations for audit in consultation with the current chair of the Examination Audit Committee and the NCEES examination services director. Circumstances may prevail that would affect which examinations are selected for audit in a given year.

The Examination Audit Committee shall review each exam audited as to its conformance with specified criteria set forth in the Examination Audit Committee procedures.

Rationale

The committee added language to define terms and to make it more concise.

Board of directors' position

Endorses, consent agenda

EPP Motion 13

Move that Exam Administration Policy 1 be amended as follows:

EAP 1 Administration of Examinations

A. Guidelines and Procedures

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

- B. **Testing Regulations**
Member boards or their designated representative will provide to each candidate approved to take NCEES examinations information regarding regulations to be observed during the examinations and actions that may be taken in the event of a testing irregularity.
- C. **Candidate Admission**
Approval of candidates applying to take NCEES examinations shall be by the individual member boards or their designated representative. To sit for an NCEES examination, candidates will be required to obtain a unique identification number from NCEES. Only candidates with an NCEES-supplied identification number will be allowed admission into the examination site. Candidates not allowed admission to the morning session of a pencil-and-paper examination will not be admitted to the afternoon session.
- D. [Restriction of Who Can Be in the Examination Room](#)
For pencil-and-paper examinations, only preauthorized member board members, member board staff, proctors, NCEES-designated representatives, and candidates actually taking an examination will be permitted in the examination room.
- E. [Restriction of Retaking an Examination](#)
Candidates who have passed an examination may not retake that same examination unless required by a member board.
- F. [Irregularity Restriction](#)
If a candidate's examination results are not released due to a suspected exam irregularity, the candidate will not be allowed to register for another exam until the investigation is complete and the irregularity has been resolved per the *Security and Administrative Procedures Manual*.
- G. [Examination Scheduling Restriction](#)
A candidate for a CBT exam may take the examination only one time per testing window and no more than three times in a 12-month period.
- H. [Committee on Examination Audit](#)
The Committee on Examination Audit shall include, as part of its auditing responsibilities, a review of the examination administrative procedures manual for content and effectiveness.
- I. [Banned Registration Requirements](#)
If a member board bans an examinee from registering for an examination as referenced in EAP 8, it shall be the responsibility of that member board to notify NCEES of the specific terms and reasons for the ban. NCEES will make this information available to all member boards. The decision as to whether another member board agrees to honor the terms of the original member board's decision to ban this examinee's registration will remain with the individual member boards.

Rationale

The committee amended language for clarity and added headings for consistency.

Board of directors' position

Endorses, consent agenda

EPP Motion 14

Move that Exam Administration Policy 4 be amended as follows:

EAP 4 Materials Permitted and Not Permitted in Examination Room

- A. **Pencil-and-Paper and CBT Examinations**
 - 1. Devices or materials that might compromise the security of the examination or examination process are not permitted. These include any devices with copying, recording, or communication capabilities.
 - 2. Only models of calculators as specified or supplied by NCEES are permitted in the examination room.
 - 3. Only NCEES-supplied marking and erasing instruments are permitted for use in the examination room.
 - 4. Other items specifically allowed by the current NCEES *Examinee Guide* are permitted.
- B. **Open-Book Examinations**
 - 1. The following reference materials and aids may be brought into the examination room by the examinee for his or her personal use only:
 - a. Handbooks and textbooks
 - b. Bound reference materials, provided that the material be and remain contained (bound) in a cover during the entire examination, ~~bound referring to:~~ [The term "bound" refers to the following:](#)
 - (1) Material bound permanently, i.e., stitched or glued

- (2) Material fastened securely in its cover by fasteners that penetrate all papers, e.g., ring binders, spiral binders, plastic snap binders, brads, screw posts. Loose material inside binder pockets does not qualify as bound.
 - 2. Examinees are not permitted to exchange any reference materials.
 - 3. Writing tablets, unbound tables, or unbound notes are not permitted in the examination room.
 - 4. Examinees may tab reference books prior to the examination with Post-it™ type notes and flags, but pads of Post-it type notes and flags are not permitted in the examination room.
- C. Closed-Book Examinations
Only NCEES-supplied reference materials are permitted for use in the examination room.

Rationale

The committee amended language for clarity.

Board of directors' position

Endorses, consent agenda

EPP Motion 15

Move that Exam Administration Policy 5 be amended as follows:

EAP 5 NCEES Examinations Offered by a Member Board Within Its Jurisdiction

A. [Jurisdiction Limitation](#)

A member board may offer NCEES examinations only in its jurisdiction. The member board must make suitable arrangements to protect the confidentiality and security of the examinations according to NCEES guidelines. Administration of examinations must conform to the NCEES scheduled timeframes for examinations. Individual applicants should apply to the sponsoring [jurisdiction-member board](#) in accordance with that jurisdiction's operating policies and procedures. This policy does not preclude an examinee from sitting for a CBT examination in a different jurisdiction.

- C. Member boards are encouraged to sponsor or otherwise facilitate use of the FE and FS examination results for internal use of institutional outcomes assessment, but such use should not subordinate or endanger the function, concept, or security of the FE or FS examination's primary purpose as the first examination for professional licensure, in keeping with the underlying mission of safeguarding the health, safety, and welfare of the public.
- D. [U.S. Military Base Exemption](#)
This policy does not preclude a member board from offering the examinations at an NCEES-approved site to U.S. military personnel stationed at military bases outside the United States.

Rationale

The committee amended language to be concise and added headings for consistency. Note: Additional changes to EAP 5 are proposed in Motions 16 and 20. Section B is not shown above because Motion 16 is proposing to move it to another section; if that Motion 16 passes, then Sections C and D above will be renumbered accordingly.

Board of directors' position

Endorses, consent agenda

EPP Motion 16

Move that Exam Administration Policy 8, Exam Administration Policy 5B, and Exam Development Policy 15 C and D be amended as follows:

EAP 8 Release and Use of Examination Results

A. [Results Reporting](#)

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

The converted scores for each candidate will be furnished to member boards upon request. The use of individual candidate scores is for licensure purposes only, that is, to establish minimum competency. Individual candidate names and scores shall not be published, made public, used to make related comparisons, or used for purposes other than licensure. For example, scores above passing shall not be used to rank-order or differentiate among passing candidates.

B. Validity and Integrity

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

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

C. In Case of an Irregularity

Examination results for any examinee suspected of an exam irregularity will be provided ~~in perpetuity~~ to the affected member board in a report segregated from all other examinee score reports. This ~~special~~ report will identify the examinee and provide the examinee score information. After the release of the ~~special~~ score report, NCEES will provide the member board with the results of any analysis conducted or other information pertaining to the suspected irregularity. The member board will conduct a review and notify NCEES of its findings and any action taken. An examination irregularity is one that potentially compromises the exam integrity or provides individual candidates with benefits not afforded to other candidates.

D. Examinee Non-Compliance

Examination results for any examinee who fails to comply with the conditions stated in the NCEES *Examinee Guide* are subject to invalidation by NCEES in accordance with the list below. Exam irregularities that may be grounds for exam invalidation by the member boards are included in the second list below. The identity of any examinee whose results are invalidated and the reason for invalidation will be provided to the affected member board. Examinees identified by post-exam collusion analysis are subject to EAP 8C above.

The following items in the NCEES *Examinee Guide* are grounds for a candidate to be dismissed from the exam room and for a candidate's exam results to be invalidated by NCEES:

- Having a device with copying, recording, or communication capabilities in his or her possession
- Having a calculator that is not on the NCEES-approved list
- Removing pages from his or her exam booklet on pencil-and-paper examinations
- Leaving the exam area without authorization

The following are the items in the NCEES *Examinee Guide* that are grounds for a candidate's exam results to be invalidated by a member board:

- Having loose papers, legal pads, writing tablets, or unbound notes in his or her possession
- Using a non-NCEES writing instrument or eraser to complete any portion of the exam
- Beginning the exam before the proctor instructs him or her to do so
- Failing to stop writing immediately when time is called on pencil-and-paper examinations
- Writing on anything other than the exam booklet or answer sheet on pencil-and-paper examinations
- Violating any other terms stated in these regulations that are cause for dismissal or exam invalidation

The following item in the NCEES *Examinee Guide* falls under collusion and is already grounds for invalidation by the member boards:

- Copying from another examinee's answer sheet or colluding with other examinees

E. Structural Engineering Examinations

~~The Structural Engineering examination shall be considered and referred to as one 16-hour examination.~~

For the 16-hour Structural Engineering examination, a candidate may sit for either component in separate exam administrations but must receive acceptable results on both components within a five-year period in order to pass the examination. Receiving an acceptable result on only one 8-hour component shall not be sufficient for any licensure purposes.

F. Release to Universities and Colleges

NCEES may provide directly to a university or college FE or FS examination data that will help measure learning outcomes of the total engineering or surveying education.

EDP 15 Reporting of Scores

~~C. Candidate Score Reports~~

~~Reporting of examination results for candidates will be reported only as pass or fail. All failing candidates will be provided with a diagnostic report to indicate performance on those sections attempted.~~

~~D. Release of Candidate Scores to Member Boards~~

~~The converted scores for each candidate will be furnished to member boards upon request. The use of individual candidate scores is for licensure purposes only, that is, to establish minimum competency. Individual candidate names and scores shall not be published, made public, used to make related comparisons, or used for purposes other than licensure. For example, scores above passing shall not be used to rank order or differentiate among passing candidates.~~

EAP 5 NCEES Examinations Offered by a Member Board Within Its Jurisdiction

~~B. NCEES may provide directly to a university or college PE or FS examination data that will help measure learning outcomes of the total engineering or surveying education.~~

Rationale

The committee added language to be concise and to follow the previous definition, added headings for consistency, and moved language from EDP 15C and 15D to EAP 8A, and moved language from EAP 5B to EAP 8F. Note: Additional changes to EDP 8E were proposed in Motion 3.

Board of directors' position

Endorses, consent agenda

EPP Motion 17

Move that Exam Administration Policy 10 be amended as follows:

EAP 10 NCEES Examinations Offered to a Foreign Entity

A. Authority of CEO

Upon receiving a request, the chief executive officer may be authorized by the NCEES board of directors to enter into discussions with a foreign entity concerning the administration of NCEES examinations at a foreign site. The discussions will include an assurance that NCEES examinations will be administered in full compliance with all NCEES examination policies and procedures. All costs borne by NCEES to carry out this provision will be reimbursed.

B. Contracting with Foreign Entities

NCEES may contract with the foreign entity to provide administration of its examinations to the foreign entity's engineering or surveying applicants, upon approval of the Council. A draft agreement that defines areas of responsibility for the foreign entity and NCEES may then be created. The agreement will require, at a minimum, that the foreign entity reimburse all costs borne by NCEES to carry out the provisions of the agreement.

As an exception, the NCEES board of directors is authorized to permit the Fundamentals of Engineering and the Fundamentals of Surveying examinations to be administered at NCEES-approved test sites to applicants from a foreign ABET-accredited engineering or surveying program. At a minimum, all costs borne by NCEES to carry out this provision will be reimbursed.

C. Minimum Criteria for Examinees

For any approved agreement, NCEES will establish minimum criteria for examinees of the foreign entity that are in general conformance with the existing NCEES *Model Law* and *Model Rules*. NCEES will retain the score information for examinees of foreign entities and will transmit that information to any member board when requested.

D. Use of Examination Results for Licensure

The examinations may be used to assist examinees interested in applying for licensure as a professional engineer or surveyor with an NCEES member board as well as an outcomes assessment tool to assist in measuring the outcomes of a foreign-based education system.

However, in the event that the examinee elects to use the results of the examination for the purpose of applying for licensure, the member board may not be precluded from imposing any additional requirements related to state licensure, including but not limited to educational and experience requirements.

E. Restriction on Use of Examination Results

Examinee performance data from examinations provided to a foreign entity shall not be included in exam evaluation or development, used to establish cut scores, or included in exam result statistics for NCEES

jurisdictions. Examinee performance data from exams provided to a foreign entity may be evaluated and reported separately.

F. [Release of Examinee Performance Data](#)

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

Rationale

The committee added headings for consistency.

Board of directors' position

Endorses, consent agenda

EPP Motion 18

Move that Exam Administration Policy 12 be amended as follows:

EAP 12 Exam Administration Audits

Member boards or their authorized representatives are required to participate in exam administration audits as established by the NCEES board of directors' exam administration audit plan in order to ensure consistency in exam administration and security.

Member boards or their authorized representatives will follow the procedures established in the Auditing Compliance with Exam Procedures section of the NCEES *Security and Administrative Procedures Manual*. These will include member board self-audits, onsite follow-up audits, and the use of current NCEES Compliance and Security Audit forms.

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

Rationale

The committee added language for clarity.

Board of directors' position

Endorses, consent agenda

EPP Motion 19

Move that Exam Administration Policy 13 be amended as follows:

EAP 13 Proctors for Administration of ~~Pencil and Paper~~ Examinations

Any person who teaches a refresher course or is actively involved in preparation of non-NCEES-sponsored review material for an NCEES ~~pencil and paper~~ examination shall not serve as a proctor for any NCEES examination.

Rationale

Added language to be concise so that the policy would include CBT vendor as well.

Board of directors' position

Endorses, consent agenda

EPP Motion 20

Move that Exam Administration Policy 5 be amended as follows:

EAP 5 NCEES Examinations Offered by a Member Board Within Its Jurisdiction

- A. A member board may offer NCEES examinations only in its jurisdiction except as noted in paragraph E. The member board must make suitable arrangements to protect the confidentiality and security of the examinations according to NCEES guidelines. Administration of examinations must conform to the NCEES scheduled timeframes for examinations. Individual applicants should apply to the sponsoring jurisdiction in

accordance with that jurisdiction's operating policies and procedures. This policy does not preclude an examinee from sitting for a CBT examination in a different jurisdiction.

- B. NCEES may provide directly to a university or college FE or FS examination data that will help measure learning outcomes of the total engineering or surveying education.
- C. Member boards are encouraged to sponsor or otherwise facilitate use of the FE and FS examination results for internal use of institutional outcomes assessment, but such use should not subordinate or endanger the function, concept, or security of the FE or FS examination's primary purpose as the first examination for professional licensure, in keeping with the underlying mission of safeguarding the health, safety, and welfare of the public.
- D. This policy does not preclude a member board from offering the examinations at an NCEES-approved site to U.S. military personnel stationed at military bases outside the United States.
- E. [Beginning with the April 2022 pencil-and-paper administration, the 16-hour PE Structural Engineering exam will be offered as a regional exam and administered only by NCEES. This policy will continue until the exam transitions to computer-based testing. Examinees will be allowed to travel beyond jurisdictional boundaries to take the exam.](#)

Rationale

With the exception of the 16-hour PE Structural exam, the last pencil-and-paper exams will be administered in October 2021. Currently, pencil-and-paper exams are administered in every jurisdiction. Since 2018, 80% of the 16-hour Structural examinees have tested in 18 jurisdictions. From a financial standpoint, it is more efficient to offer the exam where the majority of the examinees are located. Note: Additional changes to EAP 5 are proposed in Motions 15 and 16.

Board of directors' position

Endorses, consent agenda

Committee on Finances (6 motions)

Finance Motion 1

Move that Financial Policy 8 be amended as follows:

FP 8 Unbudgeted Expenditures

Necessary expenditures to carry on the business of the Council that are not in the current operating or capital budget shall have prior approval of either the chief executive officer, the president, or the treasurer for amounts up to ~~\$7,500~~ \$25,000. Expenditures of more than ~~\$7,500~~ \$25,000 and up to ~~\$15,000~~ \$50,000 shall have prior approval of two of the above persons, and expenditures in excess of ~~\$15,000~~ \$50,000 shall have the prior approval of the board of directors. Any expenditures not in the current budget shall be reviewed by the board of directors at its next meeting.

Rationale

The committee reviewed and discussed the 2019–20 committee rationale that the approval levels have not been revised since 2008 and that approval levels should be increased so that the Council's operations and capital needs would not be delayed should an emergency or other unanticipated expenditure occur. The 2020–21 committee agrees with the proposed increases and will bring the motion forward at the 2021 annual meeting.

Board of directors' position

Endorses, consent agenda

Finance Motion 2

Move that Financial Policy 3B be amended to add section 8 as follows:

FP 3 Travel Expenses

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

B. NCEES annual business meetings

1. Members of the current NCEES board of directors, incoming vice presidents, nominees for the incoming

- NCEES president-elect and treasurer positions, and past presidents. Registration fees shall be waived for a guest of each.
2. A minimum of three funded delegates from each member board as specified by the member board. Member boards must meet the *Bylaws* requirements for voting to receive the benefits of funded delegates.
 3. Member board members who are attending their first annual meeting and who have been appointed to their board within 24 months before the annual meeting
 4. The designated member board administrator (MBA) of each member board. When an MBA represents more than one board, the funding shall be for the designated MBA only and not for the assistant MBA or for member board staff. Member boards must meet the *Bylaws* requirements for voting to receive the benefits of a funded MBA.
 5. Chairs of NCEES standing committees and task forces
 6. NCEES service award recipients. Registration fees shall be waived for a guest of each.
 7. Zone assistant vice presidents and zone secretary-treasurers
 8. [The NCEES representative to the ABET board of delegates, the alternate NCEES ABET representative, and the commissioners on the Engineering Accreditation Commission of ABET, the Engineering Technology Accreditation Commission of ABET, and the Applied and Natural Science Accreditation Commission of ABET](#)

Rationale

The committee reviewed and discussed the 2019–20 committee rationale that, historically, the Council has funded the ABET representatives identified in paragraph 8 above. Therefore, the committee is moving to add this language to FP 3 to reflect the current NCEES practice of funding for these meetings. The 2020–21 committee agrees that language needs to be added to reflect the current practice of the Council and will bring the motion forward with some minor editorial revisions to the language previously proposed.

Board of directors' position

Endorses, consent agenda

Finance Motion 3

Move that Financial Policy 5 be amended as follows:

FP 5 Guests of Annual Business Meeting

- A. The president is authorized to issue invitations to [professional](#) society presidents [or presidents-elect, to professional society executive directors](#), to International Affiliate Organizations, and to Participating Organizations to attend the annual business meeting as guests of the Council. All or part of the registration and activity fee [may shall](#) be waived.
- ~~B. Each past president of the Council will be invited to attend the annual business meeting. Registration fees will be waived for each past president and his or her guest. Travel expenses will be funded for each past president.~~
- ~~C. The Council may pay the travel expenses of each award recipient and his or her guest to attend the annual business meeting.~~

Rationale

The committee reviewed and discussed the 2019–20 committee rationale that, historically, the Council has waived the registration fees of each professional society president and executive director. Therefore, the committee is moving to revise the language in FP 5A to reflect the current NCEES practice of waiving the registration fee.

The 2020–21 committee agrees that language in FP 5A needs to be revised to reflect the current practice of the Council and will bring the motion forward with some minor editorial revisions to the language previously proposed. The committee also discussed and concluded that the content of FP 5B and 5C are redundant with FP 3B1 and 3B6 and should be removed to avoid confusion.

Board of directors' position

Endorses, consent agenda

Finance Motion 4

Move that the adoption of the 2021–22 operating budget as shown in **Appendix B** be postponed to the end of the last business session in order to take into account any subsequent actions adopted by the Council that may affect this budget.

Board of directors' position

Endorses, consent agenda

Finance Motion 5

Move that the adoption of the 2021–22 capital budget as shown in **Appendix C** be postponed to the end of the last business session in order to take into account any subsequent actions adopted by the Council that may affect this budget.

Board of directors' position

Endorses, consent agenda

Finance Motion 6

Move that Financial Policy 1D be amended as follows:

FP 1 Council Funds

D. ~~The NCEES board of directors shall have the authority to contribute a maximum of \$500,000 annually for funding of nonprofit A full Council vote is required to approve contributions above that amount.~~

The NCEES board of directors shall have the authority to make discretionary contributions for funding requests to outside nonprofit organizations. The total amount of all discretionary contributions that the NCEES board of directors is authorized to make may not exceed \$500,000 per fiscal year. Any funding above \$500,000 is required to be voted on by the full Council.

Rationale

The committee believes that the existing language in Financial Policy 1D needs clarification to be in accordance with the intent of the Tennessee engineering board motion and the actions taken by the Council at the 2018 annual meeting. The committee will bring the motion forward to revise FP 1D to provide the needed clarification.

Board of directors' position

Endorses, consent agenda

Fire Protection Task Force (1 motion)

Fire Protection Task Force Motion 1

Move that the current Position Statement 22 be replaced as follows.

PS 22 Fire Protection

~~NCEES recognizes that fire protection systems—including fire detection, alarm, and suppression systems—play an important role in safeguarding the health, safety, and welfare of the public. NCEES also recognizes the design and calculation of fire protection systems to be the practice of engineering.~~

~~NCEES recommends that member boards actively pursue enforcement of state statutes and rules with local permitting authorities having jurisdiction regarding the engineering supervision over the specification, design, and calculation of fire protection systems.~~

~~To implement the above, the following are recommended:~~

- ~~A. Contract drawings should include a set of fire protection drawings that are sealed by a licensed professional engineer.~~
- ~~B. Supervision by a licensed professional engineer is required in the review of fire protection installation shop drawings for compliance with the engineer's design and specifications.~~
- ~~C. Oversight by a licensed professional engineer is required in the installation of an original permitted design.~~

PS 22 Fire Protection

NCEES recognizes that fire protection plays an important role in safeguarding the health, safety, and welfare of the public. NCEES also recognizes that the application of science and engineering principles to safeguard life, property, income, and the environment from the effects of fires, explosions, and related hazards to be the practice of fire protection engineering.

NCEES recommends that member boards actively pursue enforcement of state statutes, rules, and regulatory codes, with local permitting authorities having jurisdiction regarding the analysis and application of fire protection engineering.

NCEES recognizes that many states and territories do not license professional engineers by engineering discipline and that various aspects of fire protection engineering may be performed by licensed professionals (architects or engineers) with experience in the analysis, design, and application of fire protection systems. NCEES also recognizes that there are differences in state statutes, rules, and regulatory codes among various states and territories and that these individual states and territories may establish thresholds of system type, complexity, size, or value that exempt specific fire protection systems below a minimum threshold from professional engineering, provided that these fire protection systems are designed and installed by a contractor or technician who is performing this work under a license or certification specifically for these fire protection systems.

For fire protection systems above or below the minimum threshold of system type, complexity, size, and value for professional engineering, the following are recommended whenever a professional engineer engages in the practice of fire protection engineering:

- A. All final engineering documents should be design documents prepared and sealed by a licensed professional engineer. The contents of the engineering documents should be determined by the licensed professional engineer based on their education and experience; should comply with state statutes, rules, and regulatory codes; and should be acceptable to all authorities having jurisdiction.
- B. All fire protection installation shop drawings should be reviewed by the licensed professional engineer in order to verify compliance with the engineer's design and specifications prior to submission of the shop drawings to any interested authority.
- C. The licensed professional engineer should provide oversight of the installation to verify compliance with contract requirements.

Rationale

The current position statement on fire protection was added to the *Manual of Policy and Position Statements* in 2004 and has not been revised. The task force felt that the position statement needs to be modified to reflect current times and to reflect a more robust definition of fire protection and fire protection systems.

Board of directors' position

Endorses, consent agenda

Public Outreach Task Force (1 motion)

Public Outreach Task Force Motion 1

Move that a committee or task force be established and charged with developing a format for a group of young engineers and surveyors that can provide insight to the Council. The process should include providing a framework that includes clear objectives to accomplish, eligibility requirements, the process for selecting participants, oversight, and ways to effectively provide input to and communicate with the Council.

Rationale

The purpose of this motion is to implement a standing/rotating group of young engineers and surveyors, similar to the 2015–16 Emerging Leaders Group, to provide insight and guidance on communications with engineers and surveyors of the future. The task force believes more thought and discussion is needed to ensure that the group has clearly defined objectives and includes a balanced representation of engineers and surveyors at various stages of the licensure process.

Board of directors' position

Endorses, consent agenda

Committee on Uniform Procedures and Legislative Guidelines (4 motions)

UPLG Motion 1

Move that the *Model Law* 140.20 D be amended as follows.

140.20 Expirations, Renewals, and Reinstatement to Active Practice

D. If a licensee is granted inactive status, the licensee may return to active status by notifying the board in advance of this intention, by paying appropriate fees, and by meeting all requirements of the board, including demonstration of continuing professional competency as a condition of reinstatement. In the event that an inactive licensee

1. ~~does~~ Does not maintain a current license in any jurisdiction; and
2. ~~Is not able to demonstrate proof of lawful engineering and/or surveying practice~~

for the ~~three previous five~~ years ~~immediately~~ prior to requesting reinstatement, that individual ~~will~~ may be required to take and pass the NCEES Principles and Practice of Engineering (PE) examination or the NCEES Principles and Practice of Surveying (PS) examination and jurisdiction-specific examinations prior to reinstatement ~~to demonstrate proof of current competency~~.

Rationale

The 2018–19 Committee on Member Board Administrators made a motion to charge UPLG with amending this language. The MBA Committee’s rationale was as follows: “The intent of this section is to ensure that qualified individuals are practicing professional engineering and surveying. Most member boards do not require licensees to take an exam again in order to reinstate their license after having a lapsed license for a certain length of time. There are legitimate reasons that an individual may not have maintained a current license, such as working within an industry that did not require him or her to maintain a current license. [These revisions] would allow a member board to use its professional judgment as to whether the specific circumstances of each situation would call for retaking any examination to prove competency.” As part of its recommended changes, the MBA Committee proposed changing the length of time for renewal from three years to five years. This year’s UPLG Committee added “immediately” after “years” for further clarification.

If the motion passes, UPLG recommends that the appropriate committee be charged with considering whether *Model Rules* 240.30, Continuing Professional Competency, section H needs to be modified to address the change from three to five years.

Board of directors’ position

Endorses, consent agenda

UPLG Motion 2

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

240.30 Continuing Professional Competency

B. Definitions

Terms used in this section are defined as follows:

1. Professional Development Hour (PDH)—One contact hour (nominal) of instruction or presentation. The PDH is the common denominator for other units of credit.
 - a. ~~The term “contact hour” is defined as a minimum of 50 minutes of course/activity.~~
 - b. ~~The total number of hours allowed for a course/activity cannot exceed the actual number of clock hours.~~

Rationale

The 2018–19 Committee on Education proposed a motion to charge UPLG with adding 240.30 B1a and B1b related to continuing professional competency definitions. The Education Committee’s rationale for adding the language was as follows: “One of the goals of NCEES is to advance licensure standards for all professional engineers[/surveyors]. These standards describe the technical and professional competency needed to safeguard the health, safety, and welfare of the public. The Council recognizes that future demands for increasing technical and professional skills have resulted in the need for additional education beyond the bachelor’s degree for those entering the engineering profession. Because of the variety of definitions for a credit hour and without a current definition in the *Model Rules*, the committee is proposing these changes to clarify the definition so that all

boards can incorporate into a uniform standard.” The motion passed, and the 2019–20 UPLG Committee was charged with incorporating the language.

Last year’s UPLG Committee reviewed the language and modified it in paragraph 1a to simplify it (as shown below in black with underlines and strikethroughs. It deleted “the amount of time scheduled to allow for instruction in a course (lecture or laboratory)” because it felt that the language is outdated and does not allow for different ways that materials are presented. It changed the original proposed language in 1b for consistency. This year’s UPLG Committee is presenting the same language that last year’s UPLG Committee developed (as shown above in blue).

240.30 Continuing Professional Competency

B. Definitions

- a. The term “contact hour” ~~will be is~~ defined as ~~the amount of time scheduled to allow for instruction in a course (lecture or laboratory) that provides, at a minimum, of 50 minutes of interaction between the instructor and the student of course/activity.~~
- b. The total number of hours allowed for a ~~continuing education program course/activity~~ cannot exceed the actual number of clock hours.

Board of directors’ position

Endorses, consent agenda

UPLG Motion 3

Move that the *Model Rules* 240.30 C and E be amended as follows.

240.30 Continuing Professional Competency

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

C. Qualifying Activities

PDHs may be earned as follows:

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

E. Determination of Credit

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

1. Credit for college or community college approved courses will be based upon course credit established by the college.
2. Credit for qualifying seminars and workshops will be based on 1 PDH for each hour of attendance. Attendance at qualifying programs presented at professional and/or technical society meetings will earn PDHs for the actual time of each program.
3. Credit determination for activities in subsections D.6 and D.8 is the responsibility of the licensee (subject to review as required by the board).
4. Credit for activity in subsection D.7, active participation in professional and technical societies (limited to 2 PDHs per organization), requires that a licensee serve as an officer and/or actively participate in a committee of the organization. PDHs are not earned until the end of each year of service is completed.
5. No more than 8 PDHs may be obtained during a 24-hour period.

Rationale

The 2018–19 Committee on Education proposed a motion to charge UPLG with modifying 240.30 C and E related to continuing professional competency requirements. The Education Committee’s rationale for modifying the language was as follows: “The committee discussed this charge at length and, based on the assortment of courses being offered today, agreed that there needs to be a better definition as to how courses are presented. In addressing the charge, the committee feels that the *Model Rules* needs to spell out the differences between web-based live, web-based pre-recorded, and live face-to-face seminars in the Qualifying Activities section. Because of the increase in the number of courses being offered by a variety of different media, the committee is also proposing that licensees be held to obtaining only 8 PDHs in a 24-hour period.”

The 2019–20 UPLG Committee decided to propose the motion as presented by the Education Committee but recommended that the appropriate committee review and define the terms “self-study” and “independent study,” including a clarification of the difference between the two terms. They are already included in current language but not defined. It asked the Education Committee to consider whether these terms should be defined based on measurable outcomes.

Because this motion was put on hold due to the pandemic, the 2020–21 Education Committee reviewed the terms “self-study” and “independent study” and agreed that the terms needed to change. The Education Committee did not think the term “self-study” should be used at all. It felt that “documented individual or group study” works best and that using the word “documented” is especially important. Therefore, the term was changed to “documented individual,” rather than “self-study” or “independent study,” as shown in C.2 above. If this motion passes, the *Continuing Professional Competency Guidelines* will need to be reviewed to ensure that the terminology matches.

Board of directors’ position

Endorses, consent agenda

UPLG Motion 4

Move that the *Model Law* 130.10 C be amended as follows.

130.10 General Requirements for Licensure

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

C. Surveying

2. Licensure as a Professional Surveyor

a. Initial Licensure as a Professional Surveyor

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

Rationale

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

Board of directors’ position

Endorses, non-consent agenda

Approval of 2020 Minutes (1 motion)

Move that the Council approve the minutes of the 2020 annual meeting.

Board of directors' position

Endorses, consent agenda

Board of Directors (1 motion)

Move that a Special Committee on Bylaws be charged with incorporating the following amendments into *Bylaws* 6.02.

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

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

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

Board of directors' position

Endorses, non-consent agenda

Board Meeting

Tab 5

Old Business

5.1 Review of Strategic Planning Goals

2021 BORPELS Strategic Planning session Outline of discussion

1. Priority Items

- a. Rewrite RCW 18.210 with new OS committee involvement
- b. AIA/PE Stamping and green book resolution
- c. OS Committee and new OS representation
- d. Remain engaged and informed on deregulation,
- e. Determine WA States direction on decoupling exam experience while maintaining the practice emphasis of the exams
- f. Determine FE waver
- g. Determine Exam equivalences (FE, PE, SE, PS)
- h. Mobility of licensing for Federal employees and spouses.
- i. Remain active in CBT efforts of SE 16 hour exams.
- j. Emphasis on outreach and education
- k. Determine the pathways to state specific PLS exam
- l. Continue to bolster the OS exam
- m. Work with DNR on the Survey Recording act and associated WACs to determine our regulatory direction for “intelligent interpretation” and other items
- n. Measure performance and gain stakeholder feed back that is relevant and useful for improving our agency
- o. Measure the licensing system software functionality from stakeholders.
- p. Build a robust and easy to follow instruction process for the applications we offer our registrants
- q. PD for communications and Outreach manager with Marjorie, Doug, and Aaron in consultation
- r. Task force for Review of current outreach plan (Marjorie, Dave, Doug, Carmena, Vonna, Ken) and report back to board.
- s. Budget development with PB, ML, KF

2. HR

- a. Diversity, Equity, Inclusion. Continue with development of Annecy DEI plan and goals. complete office of Equity survey of stakeholders.
- b. Performance Evaluations. Concise and fitting, useable
- c. Salary/Compensation and staffing.
- d. Sticky notes:
 - i. Goal setting for staff and assistance for growth (7) (10)
 - ii. Work out agency format for compensation (8) (9)
 - iii. Contract resources (6)
 - iv. Encouragement in staffing and SMEs (7)
 - v. DEI, Understand the audience (5 or 6)
 - vi. PD’s for staff (8)

3. New office and Technology

- a. Discussion of office space square footage and future use possibilities for expanding into other space.
 - b. Technology Discussion and investment in Electronic Which Boards, Video Conferencing equipment, large plotter, smart multi-page printer, computer systems.
 - c. Discussion of official office hours and public access by appointment only.
 - i. 5 Days a week the office will be open form 8-5 with a 50 % hybrid occupancy model (50% in office, 50% tele-commute).
 - ii. Office hours officially will be online or answering phones with appointments in office by scheduled appointments only.
 - d. Home offices to remain functioning with BORPLES docking station, headsets, and monitors will remain and new office will have the same personal office set up for each employee.
 - e. Sticky note items:
 - i. FAQ's need to be addressed with accessible data systems. (8) and interactive code (7)
 - ii. Team Building (4)
 - iii. Online access for Board members with BRPELS email account (8)
4. Complaint/Compliance Program
- a. Record Management and file access,
 - i. Post all files in one place with complete documentation and history index
 - ii. Post history of common charges with a matrix of penalties
 - b. Complete a clear and concise agree order process
 - c. Complete an early resolution process
 - d. Determine an template for Peer review
 - e. Continue to expand the use of POLAARIS
 - f. Send and track all notices with documentable tracking
 - i. Escalation of notices with verification of receipt
 - 1. Email
 - 2. Phone
 - 3. Certified mail (All SOC's will be via certified mail)
 - g. 3 month update notices to all open complaints (both to Complainent and Respondent)
 - h. Process flow chart should be kept internal to organization and not posted on web-site. However, they need to be completed and connected together.
 - i. Sticky Notes
 - i. Reduce volume of complaints by education (9)
 - ii. Case manager training (5)
 - iii. Faster legal process (10)
 - iv. Long term or more permanent prosecutor (8)
 - v. Training in POLARIS (10)
 - vi. Flow chart completion and connected (8)
5. Budget account 024
- a. Paul Bitar spoke to the allocations and account balance with a projected fund balance at close out of \$900,000

- b. Board discussed spending and maintaining a healthy fund balance but not over or under spending.
 - i. Detail of spending plan allowed for roughly \$400 k per year to be additional to the current budgeted costs.
 - ii. Marjorie, Paul, Ken to discuss further.
 - c. Sticky Notes
 - i. New model with virtual in office (10)
 - ii. Create tech budget live items (7)
 - iii. Determine licensing software and compliance software needs and where are we with POLARIS and research options (10)
 - iv. Be accountable to stakeholders (6) (8) (8)
 - v. No sweeps (10)
6. Performance Feedback
- a. The SAW side of the licensing system is getting poor feedback form the users. Improving now that BORPELS has its own dropdown on the State System
 - b. POLARIS is not very popular with licensees nor staff do to the one size fits all added clicks and screen switches.
 - c. Measure stakeholder feedback and satisfaction
 - i. Tools and processes and instructions
 - ii. Staff feed back
 - iii. Feed back on leadership and direction
 - iv. Feed back on the Board
 - v. Stakeholder feedback on our diversity and access
 - d. Sticky notes
 - i. POLARIS and SAW work our issues (8)
 - ii. Create a specific solution platform for Board tech use (4)
 - iii. Annual performance measurement to Board (4)
 - iv. Paper renewal notification (10)
 - v. Better renewal notifications (10)
 - vi. Create/Execute a performance feedback mechanism for Stakeholders (8)
 - vii. Document phone and Email comments (2)
 - viii. Provide comment avenues email or phone ()
 - ix. Create a licensing steps instruction (7)
7. Board member Responsibilities
- a. OS representation. OS Ad Hoc with SME's, Nimmie, Vonna, Ken
 - b. PRO-TEM use
 - c. Sticky notes
 - i. Work into higher NCEES positions (5)
 - ii. Reach out to stakeholders statewide. Do we represent the whole of the professions (3)

Board Meeting

Tab 6

Director's Report

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

Board Meeting

Tab 7

**Assistant Attorney
General's Report**

Board Meeting

Tab 8

Other Business

- 8.1 Additional Public Comment
- 8.2 Upcoming Outreach and Events
- 8.3 Action Items from this Meeting
- 8.4 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						
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28						

March						
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28	29	30	31			

April						
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May						
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30	31					

June						
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July						
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August						
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29	30	31				

September						
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October						
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31						

November						
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28	29	30				

December						
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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, 2021	Strategic Planning Session
June 17, 2021	Board Meeting
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 21 - 22, 2021	NCEES Exams
December 8 - 9, 2021	Board & Committee Meetings

Board of Registration for Professional Engineers and Land Surveyors

Action Item List

Executive Committee

Date Assigned	Action Item	Assigned To	Status
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
4/21/21	Contact DOL regarding potential costs for system changes to give licensees at least a one-year initial license.	Ms. Cramer	In Progress

Exam Qualifications Committee (EQC)

Date Assigned	Action Item	Assigned To	Status
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	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
4/21/21	Contact Mr. Bodge to see where he is at in the compliance process.	Ms. Short	Completed
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
4/21/21	Provide a summary of what has worked and what hasn't worked during the last few state specific exams, e.g. COVID-19 impacts, security of exams, and grading. Due before the SME meeting in June/July.	Staff	In Progress

Structural Committee

Date Assigned	Action Item	Assigned To	Status
2/16/21	Provide the number of SE applicants by comity, and the number of applicants with SE exam only at next meeting.	Ms. Cramer	In Progress

Board of Registration for Professional Engineers and Land Surveyors

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.	Mr. Fuller	In Progress
2/18/21	Launch an ad hoc workgroup to develop BRPELS outreach strategy.	Mr. Fuller	In Progress

Board Meeting

Tab 9

Adjourn Meeting