

Notice of August 10-11, 2016 meeting of the Board of Architectural and Engineering Examiners.  
Posted to the Board of Architectural & Engineering Examiners' web site on August 1, 2016.



**STATE OF TENNESSEE  
DEPARTMENT OF COMMERCE AND INSURANCE  
BOARD OF ARCHITECTURAL AND ENGINEERING EXAMINERS  
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Program Website: <http://www.tn.gov/commerce/section/architects-engineers>**

**AGENDA**

**BOARD OF ARCHITECTURAL AND ENGINEERING EXAMINERS  
NOTICE OF BOARD MEETING**

Davy Crockett Tower, Conference Room 1-B  
500 James Robertson Parkway  
Nashville, Tennessee 37243

**Wednesday, August 10, 2016**

**1:00 P.M. ENGINEER COMMITTEE MEETING**

CALL TO ORDER – Hal Balthrop

NEW BUSINESS

- Applications and Audits for Review, Discussion and Signature
- NCEES Annual Meeting Motions
- Legislative Update
- NCEES Board Visits
- Observers for ABET Accreditation Visits

UNFINISHED BUSINESS

- Exam Application Process Discussion
- Licensing Agreement with Japan PE/FE Examiners Council
- Energy Service Companies and Engineering Registration Laws

ADJOURNMENT

**The listed order of items and times on the agenda are subject to change, as the Board reserves the right to move to the next agenda items due to cancellations or deferrals.**

Board meetings will be conducted by permitting participation of the Board members by electronic or other means of communication if necessary. Any member participation by electronic means shall be audible to the public at the location specified above. The Department of Commerce and Insurance is committed to principles of equal access. If you need assistance with attending this meeting due to a disability please contact the Department's ADA Coordinator at (615) 741-0481.

**4:00 P.M. GRANTS COMMITTEE MEETING**

CALL TO ORDER – Susan Ballard, Chair

UNFINISHED BUSINESS

- Proposal Criteria for Use of Additional Grant Funds

ADJOURNMENT

Davy Crockett Tower, Conference Room 1-B  
500 James Robertson Parkway  
Nashville, Tennessee 37243

**Thursday, August 11, 2016**

**8:00 A.M. ARCHITECT COMMITTEE MEETING**

CALL TO ORDER – Rick Thompson, Chair

NEW BUSINESS

- Mutual Recognition Arrangement with Australia and New Zealand Letter of Undertaking

ADJOURNMENT

**9:00 A.M. BOARD MEETING**

CALL TO ORDER – Susan Ballard, Chair

- Roll Call
- Acknowledge Guests
- Announcements
- Review Agenda for Changes and/or Additions

CONSENT AGENDA – John Cothron, Executive Director

- Minutes from June 2016 Board Meeting
- Staff Complaint Report

PUBLIC COMMENT

PROFESSIONAL SOCIETY REPORTS

LEGAL CASE REPORT – Benjamin Glover

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DIRECTOR'S REPORT – John Cothron

- Complaint Data
- Legislative Update

GRANTS COMMITTEE REPORT – Susan Ballard

ENGINEER COMMITTEE REPORT – Hal Balthrop

ARCHITECT COMMITTEE REPORT – Rick Thompson

UNFINISHED BUSINESS

- Action Items – John Cothron
- Rules Update – Benjamin Glover

NEW BUSINESS

- Qualifications-Based Selection and Basic Services
- Committee Assignments
- October Meeting Agenda—John Cothron
- 2017 Meeting Schedule
- Report on 2016 NCARB Annual Meeting
- Authorization of Travel and Speakers

ADJOURNMENT

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## Motions to be Presented at the 2016 NCEES Annual Meeting

Committee	Motion	Page	<b>Motions on the Non-Consent Agenda</b>	BOD position	Your Board's position
<b>Finance</b>	3	1	Move that Financial Policy 7 be amended to set the CBT PE exam price at \$375 and to require that all examination fees be paid directly to NCEES.	Endorses	
<b>Special Committee on Bylaws</b>	7	4	Move that a new <i>Bylaws</i> section be adopted to create an International Affiliate Organization category of NCEES membership. The Board of Directors (BOD) opposes because the proposed definition does not delineate that the organization would indeed be international or from a foreign country, and recommends that the appropriate committee revise the definition next year (this same rationale applies to Motions 8-12, as well).	Does not endorse	
	8	5	Move that the <i>Bylaws</i> be amended to allow International Affiliate Organizations to have representatives at the meetings of the Council.	Does not endorse	
	9	5	Move that the <i>Bylaws</i> be amended to require that a notice of the Annual Business Meeting shall be provided to International Affiliate Organizations.	Does not endorse	
	10	6	Move that the <i>Bylaws</i> be amended to separate the dues requirements for member boards from those for Professional Organizations and International Affiliate Organizations.	Does not endorse	
	11	6	Move that a new <i>Bylaws</i> section be adopted regarding dues requirements for Professional Organizations and International Affiliate Organizations.	Does not endorse	
	12	6	Move that the <i>Bylaws</i> be amended to establish the same dues regulations for Professional Organizations and International Affiliate Organizations.	Does not endorse	
<b>ACCA</b>	1	12	Move to amend Financial Policy 3 to allow the president and the president-elect to have the discretion to purchase business class airfares for trips greater than or equal to 5 hours of total in-air flying time each way to mitigate the stress of frequent travel. The policy currently allows this for trips greater than or equal to 3 hours' actual flying time, with the treasurer's oversight. The BOD does not endorse because they feel that the president and president-elect should be able to travel business class as long as both stay within their approved budget lines.	Does not endorse	
	8	18	Move that a Special Committee on Bylaws be charged with amending the <i>Bylaws</i> section regarding Elections and Terms of Office to state that the Treasurer shall not be eligible for re-election to the same office until at least one full two-year term has elapsed to give more individuals the opportunity to serve in a leadership role. The BOD believes that by leaving the treasurer term at two years, the two zones that are currently in sync with the treasurer's election (the Northeast and Southern Zones) are given an advantage. The board recommends that the term length be changed to three years to remedy that situation.	Does not endorse	
	9	18	Move that a Special Committee on Bylaws be charged with amending the <i>Bylaws</i> section regarding vacancies to state, "In the event of a vacancy in the office of Treasurer, the Board of Directors shall select an individual to fill the position until an election is held at the Annual Business Meeting in the next odd-numbered year."	Endorses	

## Motions to be Presented at the 2016 NCEES Annual Meeting

Committee	Motion	Page	<b>Motions on the Non-Consent Agenda</b>	<b>BOD position</b>	<b>Your Board's position</b>
<b>UPLG</b>	12	31	Move that the <i>Model Law</i> and <i>Model Rules</i> be amended to add language for structural engineers parallel to that of professional engineers and professional surveyors.	Endorses	
<b>Financial Reserves Task Force</b>	1	47	Move that a Special Committee on Bylaws be charged with creating a standing Reinvestment Committee, which would be authorized to award up to 5 percent of invested reserves each year to support the mission and vision of NCEES. The financial impact is estimated to be \$10,200 annually. The BOD opposes based on legal advice that NCEES fiduciary responsibilities belong to the BOD in accordance with the SC Nonprofit Corporation Act. Therefore, non-board committees should not have those responsibilities.	Does not endorse	
<b>Northeast Zone Resolution</b>		48	Resolve that the NCEES BOD remove the automatic approval option that was approved at the February BOD meeting, which allows applicants to sit for the professional exams after attesting to meeting the selected board's requirements, and create a task force or special committee to study this issue further. The BOD does not endorse, in part because some member boards had requested for this option to be available.	Does not endorse	
<b>Southern Zone Resolution</b>		50	Resolve that NCEES Financial Policy 4 be amended to state that each zone shall be granted an equal sum of money each year from the funds of the Council for attendance of up to 75 members. Additional funding by the Council for attendance above 75 members shall be granted to the respective zone at \$200 per member. The projected cost is estimated to be \$7,500 annually.	No position	
Committee	Motion	Page	<b>Motions on the Consent Agenda</b>	<b>BOD position</b>	<b>Your Board's position</b>
<b>Finance</b>	1	1	Move that the adoption of the 2016–17 operating budget 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.	Endorses	
	2	1	Move that the adoption of the 2016–17 capital budget 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.	Endorses	
<b>Special Committee on Bylaws</b>	1	2	Move that the <i>Bylaws</i> be amended to provide for the appointment of a Tellers Committee (which replaces the Committee on Nominations) each year so that it is ready to serve if the need arises.	Endorses	
	2	2	Move that the <i>Bylaws</i> be amended to eliminate references to a Committee on Nominations and to state that “Members, associate members, and emeritus members shall be eligible to serve on any committee <u>or task force</u> .”	Endorses	

## Motions to be Presented at the 2016 NCEES Annual Meeting

Committee	Motion	Page	Motions on the Consent Agenda	BOD position	Your Board's position
	3	3	Move that the <i>Bylaws</i> be amended by deleting the Committee on Nominations section.	Endorses	
	4	3	Move that the <i>Bylaws</i> be amended to redefine the procedure for submitting nominations for treasurer and president-elect.	Endorses	
	5	4	Move that the <i>Bylaws</i> be amended to add a new Tellers Committee section.	Endorses	
	6	4	Move that the <i>Bylaws</i> section on Voting be amended to delete a reference to the Committee on Nominations.	Endorses	
	13	6	Move that the <i>Bylaws</i> be amended to update the description of the UPLG Committee.	Endorses	
	14	7	Move that the <i>Bylaws</i> be amended to update the description of the ACCA.	Endorses	
<b>Education</b>	1	8	Move to amend PS 10 Continuing Professional Competency to add emphasis on continuing education mobility and to encourage the concept of a national continuing education standard.	Endorses	
	2	8	Move to amend PS 4 Applicants with Non-EAC/ABET-Accredited Baccalaureate Degrees to clarify that a graduate degree that is used, in part or in whole, to satisfy education requirements cannot be applied for experience credit toward licensure.	Endorses	
	3	9	<p>Move that UPLG be charged with amending the <i>Model Law</i> section regarding licensure requirements to bring it into agreement with PS 4 and the practice of most boards:</p> <p style="margin-left: 20px;">a. Education Requirements An individual seeking licensure as a professional engineer shall possess one or more of the following education qualifications:</p> <p style="margin-left: 40px;">(1) A <del>bachelor's</del> degree in engineering from an EAC/ABET-accredited <u>bachelor's</u> program</p> <p style="margin-left: 40px;"><del>(2) A master's degree in engineering from an institution that offers EAC/ABET-accredited programs</del></p> <p style="margin-left: 40px;"><del>(3)</del>(2) A <del>master's</del> degree in engineering from an EAC/<del>M</del>-ABET-accredited <u>master's</u> program</p> <p style="margin-left: 40px;"><del>(4) An earned doctoral degree in engineering acceptable to the board</del></p> <p style="margin-left: 40px;"><u>(3) A bachelor's, master's, or doctoral degree in engineering from a non-EAC/ABET-accredited program. This individual's education must be shown by a board-approved evaluation to meet the NCEES Engineering Education Standard.</u></p> <p style="margin-left: 20px;">c. Experience Requirements ... <u>Experience credit for graduate degrees . . . may be given provided that the degree is not used to meet education requirements . . .</u></p>	Endorses	

## Motions to be Presented at the 2016 NCEES Annual Meeting

Committee	Motion	Page	<b>Motions on the Consent Agenda</b>	BOD position	Your Board's position
	4	10	Move that UPLG be charged with amending the <i>Model Rules</i> to state that a graduate degree that is used, in part or in whole, to satisfy education requirements cannot be applied for experience credit toward licensure.	Endorses	
	5	11	Move that UPLG be charged with amending the <i>Model Rules</i> regarding experience to state, "Experience credit for a graduate degree cannot be earned concurrently with work experience credit."	Endorses	
<b>ACCA</b>	2	12	Move that Administrative Policy 8 Motions be amended to state that any motion to amend the <i>Model Law</i> or <i>Model Rules</i> presented at an annual meeting by an entity other than the UPLG Committee shall be referred to UPLG for review and revision of the language before it is presented for Council vote at the next scheduled annual meeting.	Endorses	
	3	13	Move that UPLG be charged with incorporating the language in ACCA Motion 2 (above) into the preface of the <i>Model Law</i> and <i>Model Rules</i> .	Endorses	
	4	14	Move to adopt a professional policy on Model Law designations (Model Law Engineer, Model Law Surveyor, and Model Law Structural Engineer). These are internal NCEES designations that are used as part of the Records program.	Endorses	
	5	16	Move that the Professional Policies section of the <i>Manual of Policy and Position Statements</i> be renumbered.	Endorses	
	6	16	<p>Move that a position statement on sustainability be adopted as follows:</p> <p><b>PS XX Sustainability</b>                      NCEES recommends that professional engineers incorporate the principles of sustainability to safeguard the health, safety, and welfare of the public now and in the future.</p> <p>Sustainability is defined as the ability to meet the needs of the present without compromising the ability of future generations to meet their own needs, through the balanced application of integrated planning and the combination of environmental, social, and economic decision-making processes.</p>	Endorses	
	7	16	Move that UPLG be charged with incorporating the following language into the preface of the <i>Model Law</i> and <i>Model Rules</i> : "By vote, the majority of NCEES member boards have agreed that the language in <del>them</del> <u>these model documents</u> represents the gold standard for engineering and surveying licensure requirements in the United States. <u>Since the majority of the member boards agree that these high standards for licensure requirements have merit, the member boards should strive to implement these standards.</u> "	Endorses	

## Motions to be Presented at the 2016 NCEES Annual Meeting

Committee	Motion	Page	<b>Motions on the Consent Agenda</b>	BOD position	Your Board's position
<b>EPP</b>	1	19	Move that EDP 3 be amended to cover existing pencil-and-paper exams, computer-based linear-fixed form (LFF) exams, and computer-based linear-on-the-fly testing (LOFT).	Endorses	
	2	19	Move that EDP 3 be amended to allow Principles and Practice of Engineering examinations to be offered as pencil-and-paper examinations or CBT exams with supplied references.	Endorses	
	3	20	Move that EDP 4, regarding the availability of exams, be amended to state that the Principles and Practice of Engineering exams will be available “on a regular schedule” to provide flexibility during the transition of the PE exams to a CBT format.	Endorses	
<b>UPLG</b>	1	21	Move that the <i>Model Law</i> and <i>Model Rules</i> be amended to replace ABET equivalence language with language stating that non-accredited programs must meet the requirements of the NCEES Engineering Education Standard.	Endorses	
	2	23	Move that PS 13 be amended to replace ABET equivalence language with language stating that non-accredited programs must meet the requirements of the NCEES Engineering Education Standard.	Endorses	
	3	23	Move that the experience requirements in the <i>Model Rules</i> be amended to clarify/tighten the language and to eliminate redundancy with the <i>Model Law</i> .	Endorses	
	4	25	Move that the <i>Model Rules</i> be amended to delete the Model Law Engineer, Model Law Surveyor, and Model Law Structural Engineer designations, which are being added to the <i>Manual of Policy and Position Statements</i> . These are internal NCEES designations that are used as part of the Records program. See ACCA Motion 4.	Endorses	
	5	27	Move that the introduction of the <i>Model Rules</i> be amended to eliminate unnecessary language regarding the requirements for adoption and the authority of rules.	Endorses	
	6	27	Move that <i>Model Rules 220.30 Fees</i> be amended to make paragraph 4 consistent with the first three paragraphs.	Endorses	
	7	28	Move that <i>Model Rules 230.30 References</i> be amended to make section F consistent with the other paragraphs in the section.	Endorses	
	8	28	Move that <i>Model Rules 230.40 Examinations</i> be amended to refer to the Rules instead of the Act (a housekeeping change).	Endorses	



## Motions to be Presented at the 2016 NCEES Annual Meeting

Committee	Motion	Page	<b>Motions on the Consent Agenda</b>	BOD position	Your Board's position
	9	29	Move that the <i>Model Rules</i> be amended to move language not related to applications from 230.60 to a more appropriate section of the <i>Model Rules</i> .	Endorses	
	10	30	Move to strike language from <i>Model Rules</i> 240.40 that simply duplicates language in the <i>Model Law</i> .	Endorses	
	11	31	Move that <i>Model Rules</i> 250.40 be deleted because it is covered in the <i>Model Law</i> .	Endorses	
<b>Technology Task Force</b>	1	44	Move that the UPLG Committee be charged with amending <i>Model Rules</i> 240.20 Seals to provide for flexibility by allowing the option of obtaining a seal upon licensure by changing the language from “must obtain a seal” to “may obtain a seal.”	Endorses	
	2	44	Move that the UPLG Committee be charged with amending <i>Model Rules</i> 240.20 Seals to provide clarity for member boards regarding both physical (ink) and electronic methods of signing and sealing documents:  <u><a href="#">A licensee may seal and sign engineering/surveying documents by one of the following methods:</a></u> <u><a href="#">a. A physical placement of a seal and a handwritten signature in permanent ink containing the name of person who applied it; or</a></u> <u><a href="#">b. An electronic or digital placement of a seal and a handwritten, electronic, or digital signature containing the name of person who applied it;</a></u>	Endorses	
	3	46	Move that the UPLG Committee be charged with amending the <i>Model Law</i> to provide for flexibility by allowing the option of obtaining a seal upon licensure by changing the language from “must . . . obtain a seal” to “may . . . obtain a seal.”	Endorses	
	4	46	Move that a Position Statement be adopted regarding remote sensing technologies:  <u><a href="#">PS XX Remote Sensing Technologies</a></u> <u><a href="#">In the interest of safeguarding the public health, safety, and welfare, the use of remote sensing technology (both aerial and ground based) to perform professional services defined in NCEES Model Law 110.20 A5, Practice of Engineering, and 110.20 B4, Practice of Surveying, shall be under the responsible charge of an appropriately licensed professional.</a></u>	Endorses	

For full text of all motions refer to NCEES publication: *Motions to be Presented at the 2016 Annual Meeting*.

ACRONYMS:

ACCA = Advisory Committee on Council Activities

CPC = Continuing Professional Competency

EAP = Examination Administration Policy

EDP = Examination Development Policy

EPP = Examination Policy and Procedures

EPS = Examinations for Professional Surveyors

MBA = Member Board Administrators

PS = Position Statement

UPLG = Uniform Procedures and Legislative Guidelines

# MOTIONS TO BE PRESENTED AT THE 2016 NCEES ANNUAL MEETING

## Committee on Finances

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### Finance Motion 1

Move that the adoption of the 2016–17 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 2

Move that the adoption of the 2016–17 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.

### Finance Motion 3

Move that Financial Policy 7 be amended as follows:

### FP 7 Examination Charges

All examination charges shall be reviewed annually by the Committee on Finances, and any proposed changes shall be brought before the Council for approval. The current exam prices are as follows:

<u>Examination</u>	<u>Price</u>	<u>Date Approved</u>	<u>Effective Administration Date</u>
Computer-based FE*	\$225	8/13	1/14
Computer-based FS*	\$225	8/13	1/14
PE**	\$250	8/11	4/13
<u>Computer-based PE*</u>	<u>\$375</u>	<u>8/16</u>	<u>1/18</u>
Computer-based PS*	\$300	8/15	10/16
Structural Lateral Forces component**	\$400	8/09	4/11
Structural Vertical Forces component**	\$400	8/09	4/11

For computer-based examinations, examinees are required to pay NCEES directly. [Beginning in May 2017, all examinees will be required to pay NCEES directly; this requirement will include both computer-based and pencil-and-paper examinations.](#)

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

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

### Rationale

After discussing expenses incurred, the reserve impact, the length of the exam, and exam volumes, the Finance Committee recommends that the CBT PE exam charge be set at \$375. The Finance Committee also recommends that, beginning with the first PE exam to transition to CBT, all examination charges (including both CBT and pencil-and-paper PE exams) be required to be paid directly to NCEES to provide a consistent payment method during the transition period of the PE exams to CBT.

### Board of directors' position

Endorses, non-consent agenda

## Special Committee on Bylaws

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### Bylaws Motion 1

Move that *Bylaws* 5.01 be amended as follows:

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

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

### Rationale

Motion 1 is proposed in response to the approved 2015 ACCA motion that the Committee on Nominations be eliminated and a Tellers Committee, appointed by the president, be added. While the ACCA motion stated that the Tellers Committee would be appointed “when needed,” the Bylaws Committee thinks it would be expedient to have a Tellers Committee appointed each year so that it is ready to serve if the need arises.

### Board of directors’ position

Endorses, consent agenda

### Bylaws Motion 2

Move that *Bylaws* 7.01 be amended as follows:

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

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

A committee member may be appointed to serve on only one standing committee during any administrative year, ~~with the exception of the Committee on Nominations. Members and alternate members of the Committee on Nominations may be appointed to one additional standing committee during an administrative year.~~

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

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

**Rationale**

The first two proposed changes, in paragraphs 1 and 3 of *Bylaws* 7.01, are necessary to make the *Bylaws* consistent with the elimination of the Committee on Nominations.

The third and last proposed change in the last paragraph of *Bylaws* 7.01 adds the words, “or task force,” to make the *Bylaws* consistent with the current practice of the committee appointment eligibility.

**Board of directors’ position**

Endorses, consent agenda

**Bylaws Motion 3**

Move that *Bylaws* 7.12 be deleted and the following sections renumbered accordingly.

~~**Section 7.12 Committee on Nominations.** The Committee on Nominations shall consist of a past Treasurer appointed by the President, four additional members, four alternate members (one member and an alternate member elected by each zone of the Council at a zone meeting), and the chair, who shall be the Immediate Past President of the Council. Each zone will announce its nominating committee member and alternate before the close of the Annual Business Meeting. This committee will serve for the nomination of officers for the next administrative year as specified in Section 11.01 and Section 11.02 of the Bylaws.~~

**Rationale**

Motion 3 proposes changes that directly address Charge 1, “... to remove *Bylaws* 7.12, Committee on Nominations.”

**Board of directors’ position**

Endorses, consent agenda

**Bylaws Motion 4**

Move that *Bylaws* 11.01 and 11.02 be amended as follows and that the current 11.02 be combined with 11.01:

~~**Section 11.01 Nominations.** The Committee on Nominations shall put forth Member boards may submit nominations for qualified Treasurer candidates ~~for Treasurer~~ each biennium on the odd-numbered years. ~~It shall transmit the annual recommendation for President Elect as a nomination.~~ These nominations shall be filed with the Chief Executive Officer not later than sixty days prior to the opening of the Annual Business Meeting.~~

~~In addition to the nominations made by the Committee on Nominations, any delegate shall have the privilege of making nominations for Treasurer and President Elect from the floor. Such nominees from the floor must meet requirements set out in Section 4.05 and be seconded by at least four Member Boards.~~

~~**Section 11.02 Recommendations.** A recommendation A nomination for the office of President-Elect shall be presented to the ~~NCEES Committee on Nominations~~ Board of Directors by the respective ~~z~~ Zone Vice President as voted on by the respective zone at its Zone Interim Meeting. ~~representative to the Committee on Nominations for the office of President Elect. Beginning in 2001, t~~ The order of rotation for President-Elect shall be Northeast Zone, Central Zone, Southern Zone, and Western Zone ~~and in the same order of rotation in the following years.~~~~

~~Such recommendations by the respective zones shall be received by the chair of the Committee on Nominations as early as possible, but not more than fifteen days after adjournment of the last Interim Zone Meeting of the year.~~

~~The NCEES Committee on Nominations and all the zone nominating committees shall evaluate candidates against qualification based criteria to determine the slate of candidates for election by the Council.~~

Any delegate shall have the privilege of making nominations for Treasurer and President-Elect from the floor. Such nominees from the floor must meet requirements set out in Section 4.05 and be seconded by at least four Member Boards.

**Rationale**

With the elimination of the Committee on Nominations, it became necessary to redefine the procedure for submitting nominations for treasurer and president-elect. Motion 4 proposes changes to *Bylaws* 11.01 and 11.02 to accomplish this in a manner that is similar to the practice that has been followed in past years and implemented through the Committee on Nominations.

**Board of directors' position**

Endorses, consent agenda

**Bylaws Motion 5**

Move that a new *Bylaws* 11.02 be adopted as follows:

**Section 11.02 Tellers Committee.** The Tellers Committee shall consist of five members, including a chair and one representative from each zone. No member of the committee is eligible to serve as a teller for an election in which he or she is a candidate. The Tellers Committee will tabulate the results for all votes taken and report the results to the President.

**Rationale**

Charge 1 includes an instruction to add language providing for a Tellers Committee in *Bylaws* Article 11, Elections. The actual 2015 ACCA motion recommended that the Tellers Committee consist of a past NCEES treasurer and the current secretary-treasurer from each zone. In the proposed new *Bylaws* 11.02, the size of the Tellers Committee is kept at five members, as recommended in the ACCA motion, but its composition is less specific than recommended in the ACCA motion. The Bylaws Committee reasoned that it is not possible to know that a past NCEES treasurer and all of the current secretary-treasurers from each zone will be attending the annual meeting and also that none of them would be running for president-elect or treasurer. Therefore, the committee considers it to be more appropriate for the president to appoint a qualified Tellers Committee selected from among the delegates registered to attend the annual meeting.

**Board of directors' position**

Endorses, consent agenda

**Bylaws Motion 6**

Move that *Bylaws* 11.03 be amended as follows:

**Section 11.03 Voting.** All elections shall be by ballot at the Annual Business Meeting. All elections shall be by a majority of votes cast unless otherwise stipulated by the *Bylaws*. ~~The Committee on Nominations shall act as tellers.~~

**Rationale**

Motion 6 proposes a change necessary to make the *Bylaws* consistent with the removal of the Committee on Nominations.

**Board of directors' position**

Endorses, consent agenda

**Bylaws Motion 7**

Move that a new *Bylaws* 3.03 be adopted as follows and the following sections renumbered accordingly:

**Section 3.03. International Affiliate Organization.** An International Affiliate Organization of NCEES shall be a legally constituted entity having a collateral and supportive position with the licensure of engineers or surveyors. International Affiliate Organizations are entitled to representation at Council meetings but do not have voting privileges. On approval of the presiding officer, they may be granted the privilege of the floor. Acceptance of any International Affiliate Organization shall be by majority vote of the Council.

**Rationale**

Motion 7 is proposed in direct response to Charge 2, to create an International Affiliate Organization category of NCEES membership. The *Bylaws* Committee recognized the International Affiliate Organization membership to be of the same nature as the Professional Organization membership and so defined the new International Affiliate Organization membership similarly to the Professional Organization membership.

**Board of directors’ position**

Does not endorse, non-consent agenda

**Board of directors’ rationale**

The board deemed that this proposed definition of International Affiliate Organization does not delineate that the organization would indeed be international or from a foreign country. In taking this position, the board realized that it also must also oppose Motions 8–12 since they are related. Because the *Bylaws* requires that proposed changes to the *Bylaws* be reported to member boards 90 days prior the first zone meeting, none of these motions could be amended prior to publication in the *Action Items and Conference Reports*. The board of directors recommends that the Council not approve this motion and that the appropriate 2016–17 committee be charged with proposing a revised definition of International Affiliation Organization to include in the *Bylaws*.

**Bylaws Motion 8**

Move that *Bylaws* 3.05 be amended as follows:

**Section 3.05 Representatives.** A representative shall be a member of an [International Affiliate Organization](#) or a ~~p~~Participating ~~e~~Organization designated to represent ~~h~~his or her [respective organization](#) at meetings of the Council.

**Rationale**

As the International Affiliate Organization and Participating Organization memberships were defined similarly, the remaining *Bylaws* sections associated with these membership types were defined in tandem. Motion 8 proposes modifications that allow International Affiliate Organization to have representatives at the meetings of the Council. Note: If Motion 7 passes, this section will be renumbered as 3.06.

**Board of directors’ position**

Does not endorse, non-consent agenda (see board of directors’ rationale with Motion 7)

**Bylaws Motion 9**

Move that *Bylaws* 6.01 be amended as follows:

**Section 6.01 Annual Business Meetings.** The Annual Business Meeting of the Council shall be held at the time and place selected by the Board of Directors.

Notice of the Annual Business Meeting shall be ~~mailed~~ [provided](#) to each Member Board, member, associate member, [International Affiliate Organization](#), and ~~p~~Participating ~~e~~Organization not less than four weeks prior to each meeting.

The Board of Directors shall prepare a consent agenda for each Annual Business Meeting. Individual motions may be removed from the consent agenda upon request by any Member Board.

**Rationale**

Motion 9 proposes changes necessary to make the *Bylaws* consistent with the addition of an International Affiliate Organization membership.

**Board of directors’ position**

Does not endorse, non-consent agenda (see board of directors’ rationale with Motion 7)

#### **Bylaws Motion 10**

Move that *Bylaws* 10.01 be amended as follows:

**Section 10.01 Fees.** Annual fees of Member Boards, ~~as well as dues for participating organizations,~~ are due on January 1 for the ensuing calendar year. The fee schedule for Member Boards shall be based on the number of licensees of record as of December 31 of the preceding calendar year.

#### **Rationale**

The Bylaws Committee separated the dues requirements for member boards from those for Professional Organizations and International Affiliate Organizations for clarity and consistency within the *Bylaws*.

#### **Board of directors' position**

Does not endorse, non-consent agenda (see board of directors' rationale with Motion 7)

#### **Bylaws Motion 11**

Move that a new *Bylaws* 10.013 be adopted as follows and the following sections renumbered accordingly:

**Section 10.013 Dues.** Annual dues for International Affiliate Organizations and Participating Organizations are due on January 1 for the ensuing calendar year.

#### **Rationale**

As the International Affiliate Organization and Participating Organization memberships were defined similarly, the remaining *Bylaws* sections for these membership types were defined in tandem. Motion 11 proposes modifications that result in the same dues regulations for Professional Organizations and International Affiliate Organizations.

#### **Board of directors' position**

Does not endorse, non-consent agenda (see board of directors' rationale with Motion 7)

#### **Bylaws Motion 12**

Move that *Bylaws* 10.013 be amended as follows:

**Section 10.013 Participating Organizations Obligations Dues Schedule.** Payments for Any annual membership dues by participating organizations of International Affiliate Organizations and Participating Organizations shall be paid in accordance with a schedule established annually by the Board of Directors.

#### **Rationale**

As the International Affiliate Organization and Participating Organization memberships were defined similarly, the remaining *Bylaws* sections for these membership types were defined in tandem. Motion 12 proposes modifications that result in the same dues regulations for Professional Organizations and International Affiliate Organizations. Note: If Motion 11 passes, this section will be renumbered as 10.014.

#### **Board of directors' position**

Does not endorse, non-consent agenda (see board of directors' rationale with Motion 7)

#### **Bylaws Motion 13**

Move that *Bylaws* 7.13 be amended as follows:

**Section 7.13 Committee on Uniform Procedures and Legislative Guidelines.** The Committee on Uniform Procedures and Legislative Guidelines (UPLG) shall consist of a chair and members from each zone. At least one member shall be a surveyor. ~~The committee shall cooperate with all agencies or organizations working for enactment of improved laws and for the strengthening of laws by amendment and with Member Boards in the administration of licensing acts. The committee shall study the methods for facilitating the licensure and temporary practice of engineers and surveyors previously qualified and licensed in other states, and promote effective procedures for uniform comity. The committee shall promote effective procedures for uniform comity by maintaining the Model Law and Model Rules. The committee shall incorporate revisions to Model Law and Model Rules language as result of motions, suggestions, and comments from other NCEES committees, task forces, and Member Boards, receive such comments and suggestions as may be made by the various Member Boards and professional organizations in connection with the Model Law and the Model Rules.~~ The committee



is empowered to recommend such amendments as it feels may be necessary. A comprehensive review of the *Model Law* and *Model Rules*, with the view of possible revision, is to be made by the committee at least once every five years.

**Rationale**

The functions of the UPLG Committee have evolved over time to the extent that *Bylaws* 7.13 no longer properly describes its direction and practices. Motion 13, reviewed and approved by UPLG, updates the description of UPLG to bring it in line with current practice. Note: If Motion 3 passes, this section will be renumbered as 7.12.

**Board of directors' position**

Endorses, consent agenda

**Bylaws Motion 14**

Move that *Bylaws* 7.02 be amended as follows:

**Section 7.02 Advisory Committee on Council Activities.** The Advisory Committee on Council Activities (ACCA) shall consist of a chair and members from each zone. At least one member shall be a surveyor. 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 nonrecurring problems or plans as the President may explicitly assign to the committee. The committee shall ~~biennially~~ review the Manual of Policy and Position Statements, ~~reflecting upon in consideration of~~ past and current action of the Council, and present any proposed revisions to the Board of Directors ~~the wording of policy revisions to be approved before being submitted for review and forwarding~~ to the Council for ratification at the Annual Business Meeting.

**Rationale**

Motion 14 proposes changes that provide a clearer description of the functions and procedures of ACCA, as reviewed and approved by ACCA.

**Board of directors' position**

Endorses, consent agenda



## Committee on Education

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### Education Motion 1

Move that PS 10 be amended as follows:

#### PS 10 Continuing Professional Competency

NCEES endorses the establishment of uniform continuing professional competency (CPC) requirements for licensed professional engineers and surveyors to safeguard the health, safety, and welfare of the public by requiring licensees to remain competent within their profession ~~and to facilitate renewal.~~ [Uniform requirements benefit licensees by facilitating licensure renewal and supporting mobility across jurisdictions.](#)

CPC should be focused on the advancement, extension, and improvement of the scientific knowledge and professional skills of the licensee and on the enhancement of professional ethics. CPC should be structured in a way that demonstrates compliance but also recognizes the autonomy and strong ethical standards of licensees.

Licensees are expected to meet the CPC requirements of the [states jurisdictions](#) in which they have been granted a license by comity, reciprocity, or endorsement. Applicants for a license by comity, reciprocity, or endorsement who are licensed in a jurisdiction without equivalent CPC requirements should not be denied an [initial](#) license for that reason.

Because many engineers and surveyors are licensed in multiple jurisdictions, uniformity of CPC requirements among licensing jurisdictions that mandate CPC is imperative to simplify the licensure-renewal process, [to enhance the mobility of licensees](#), to facilitate the recognition of CPC by multiple jurisdictions, and to ensure the viability of continuing professional competency. NCEES encourages licensing boards to follow the NCEES *Model Rules* as outlined in the NCEES *Continuing Professional Competency Guidelines* when adopting CPC requirements. [NCEES encourages boards to allow their licensees to satisfy either the CPC requirements of the board or the NCEES CPC Standard. Doing so will promote licensure mobility, especially with boards whose CPC requirements differ from the Model Rules. Licensees are encouraged to use the NCEES CPC Registry to document their CPC activities; this may facilitate board reviews or audits.](#)

NCEES encourages the efforts of professional and technical societies, educational programs, and industry in the development of continuing education opportunities to [maintain and](#) enhance the competency of engineers and surveyors.

#### Rationale

As described in the committee's report (Charge 1), these changes add emphasis on mobility rather than just renewal. Also, the changes further encourage the concept of a national continuing education standard that will help remove hurdles to licensure mobility.

#### Board of directors' position

Endorses, consent agenda

### Education Motion 2

Move that PS 4 be amended as follows:

#### PS 4 Applicants with Non-[EAC/ABET](#)-Accredited Baccalaureate Degrees

Individuals with the following qualifications may apply for the licensure process.

- Graduates of non-EAC/ABET-accredited baccalaureate programs in engineering or graduates of non-engineering baccalaureate programs who have earned a master's degree or doctoral degree in engineering. In both of these cases, the official degree program transcripts of applicants must be evaluated through a board-approved process, and any deficiencies found as a result of the evaluation must be corrected. Deficiencies in engineering courses, including engineering design must be remediated by taking courses offered by an EAC/ABET-accredited engineering degree program.

- Graduates of EAC/ABET-accredited master's programs in engineering. In this case, no remedial work is needed; a criterion for EAC/ABET accreditation of master's-level programs is fulfillment of the EAC/ABET baccalaureate-level general criteria.

The validation of the educational achievement by any of these methods cannot be applied for experience credit toward licensure. A graduate degree that is used, in part or in whole, to satisfy education requirements cannot be applied for experience credit toward licensure.

### Rationale

The proposed changes are for clarification purposes. A graduate degree cannot count toward experience if it is used to satisfy education requirements. For example, a biology major who then pursues a master's degree in engineering will not receive the one-year experience credit for the graduate degree because he or she did not meet the education requirements with the bachelor's degree. See the committee's report (Charges 3 and 8) for more discussion.

### Board of directors' position

Endorses, consent agenda

### Education Motion 3

Move that the Committee on Uniform Procedures and Legislative Guidelines (UPLG) be charged with incorporating the following changes into *Model Law* 130.10 B3:

### **Model Law 130.10 General Requirements for Licensure**

Education, experience, and examinations are required for licensure as a professional engineer or professional surveyor.

#### B. Licensure as a Professional Engineer

##### 3. Initial Licensure as a Professional Engineer

An applicant who presents evidence of meeting the applicable education, examination, and experience requirements as described below shall be eligible for licensure as a professional engineer.

##### a. Education Requirements

An individual seeking licensure as a professional engineer shall possess one or more of the following education qualifications:

- (1) A ~~bachelor's~~ degree in engineering from an EAC/ABET-accredited bachelor's program
- ~~(2) A master's degree in engineering from an institution that offers EAC/ABET accredited programs~~

~~(3)~~(2) A master's degree in engineering from an EAC/~~M~~-ABET-accredited master's program

~~(4) An earned doctoral degree in engineering acceptable to the board~~

~~(3)~~ A bachelor's, master's, or doctoral degree in engineering from a non-EAC/ABET-accredited program. This individual's education must be shown by a board-approved evaluation to meet the NCEES Engineering Education Standard.

##### b. Examination Requirements

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

- (1) The FE examination may be taken by a college senior or graduate of an engineering program of 4 years or more accredited by EAC/ABET, or the equivalent, or an engineering master's program accredited by EAC/ABET.
- (2) The PE examination may be taken by an engineer intern.

##### c. Experience Requirements

An individual seeking licensure as a professional engineer shall present evidence of a specific record of progressive engineering experience satisfying one of the following described below. This experience should be of a grade and character that indicate to the board that the applicant may be competent to practice engineering. Experience credit for graduate degrees in (2)-(4) below may be given provided that the degree is not used to meet education requirements in 3.a above.

- (1) An individual with a bachelor's degree in engineering per a(1) above: 4 years of experience after the bachelor's degree is conferred
- (2) An individual with a master's degree in engineering per a(2) or a(3) above: 3 years of experience
- (3) An individual with an earned doctoral degree in engineering acceptable to the board and has passed the FE exam: 2 years of experience

- (4) An individual with an earned doctoral degree in engineering acceptable to the board and who has elected not to take the FE exam: 4 years of experience

### Rationale

The proposed changes will bring the *Model Law* into agreement with PS 4 and (what the committee believes to be) the practice of most boards. Item B3a(2) is being stricken because the committee believes that attainment of a master's degree in engineering—without first earning a bachelor's degree in engineering—is not sufficient to meet the education requirements for licensure. The renumbered item B3a(2) is being retained because a master's program must fulfill the bachelor's-level general criteria for accreditation in order to be EAC/ABET-accredited. The renumbered item B3a(3) is to address degrees from non-EAC/ABET-accredited programs; this encompasses item B3a(4); therefore, B3a(4) can be stricken. See the committee's report (Charges 3 and 8) for further discussion.

### Board of directors' position

Endorses, consent agenda

### Education Motion 4

Move that the UPLG Committee be charged with incorporating the following changes into *Model Rules 230.20* A9 and B11:

### Model Rules 230.20 Experience

#### A. As a Professional Engineer<sup>1</sup>

In evaluating experience that indicates to the board that the applicant may be competent to practice engineering, the following will be considered:

9. Successful completion of graduate study leading to the master's degree in engineering ~~from an institution that offers EAC/ABET-accredited programs~~ may be used for credit for 1 year's experience. If the earned doctoral degree in engineering is completed under the same conditions, 2 years' total experience may be credited. The 2 years' credit includes the 1 year for the master's degree. If the earned doctoral degree is obtained without the master's degree, the credit for experience may be 2 years. To count for experience credit, the graduate degree(s) shall be a progression of the applicant's bachelor's degree in engineering and relevant to the area of practice. A graduate degree that is used, in part or in whole, to satisfy education requirements cannot be applied for experience credit toward licensure.

#### B. As a Professional Surveyor<sup>2</sup>

In evaluating experience that indicates to the board that the applicant may be competent to practice surveying, the following will be considered:

11. Successful completion of graduate study leading to the master's degree in surveying ~~from an institution that offers EAC/ABET, ASAC/ABET, or ETAC/ABET-accredited programs~~ may be used for credit for 1 year's experience. If the earned doctoral degree in surveying is completed under the same conditions, 2 years' total experience may be credited; the 2 years' credit includes the 1 year for the master's degree. If the earned doctoral degree is obtained without the master's degree, the credit for experience may be 2 years. To count for experience credit, the graduate degree(s) shall be a progression of the applicant's bachelor's degree in surveying and relevant to the area of practice. A graduate degree that is used, in part or in whole, to satisfy education requirements cannot be applied for experience credit toward licensure.

### Rationale

As explained in the committee's report (Charges 3 and 8), the proposed changes disallow "double dipping" of graduate degrees. The one-year experience credit would not be given, for example, to a biology major who receives a graduate degree in engineering/surveying if said degree is used to meet education requirements for licensure. This is consistent with PS 4 (see Motion 2).

### Board of directors' position

Endorses, consent agenda

## **Education Motion 5**

Move that the UPLG Committee be charged with adding the following language to *Model Rules 230.20* A and B:

### **Model Rules 230.20 Experience**

A. As a Professional Engineer<sup>1</sup>

In evaluating experience that indicates to the board that the applicant may be competent to practice engineering, the following will be considered:

[10. Experience credit for a graduate degree cannot be earned concurrently with work experience credit.](#)

B. As a Professional Surveyor<sup>2</sup>

In evaluating experience that indicates to the board that the applicant may be competent to practice surveying, the following will be considered:

[12. Experience credit for a graduate degree cannot be earned concurrently with work experience credit.](#)

### **Rationale**

As explained in the committee's report (Charges 3 and 8), the proposed changes disallow "double dipping" of graduate degrees.

An individual who works for only three years while concurrently earning a graduate degree would not be given the one-year experience credit; four years of time would need to go by before eligibility. The committee believes that the intent of awarding the experience credit is not to expedite licensure but rather to allow an individual to pursue a graduate degree and still make progress towards the requisite four years' experience.

### **Board of directors' position**

Endorses, consent agenda

## Advisory Committee on Council Activities

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### ACCA Motion 1

Move that FP 3A be amended as follows:

#### FP 3 Travel Expenses

A. The Council shall budget for and pay travel expenses of members of the board of directors, committee members, and consultants as authorized by the president, and of Council staff to attend meetings representing NCEES. In addition, the Council shall pay travel expenses for the nominees of the Committee on Nominations as well as the chairs of the standing committees and task forces to attend the annual business meeting. Registration fees shall be waived for each funded individual and for a guest of each member of the board of directors and each Committee on Nominations nominee.

The president and the president-elect, ~~with the oversight of the treasurer,~~ have the discretion to purchase business class fares for trips greater than or equal to ~~3 hours' actual~~ 5 hours of total in-air flying time each way to mitigate the stress of frequent travel. If no business class is available, first class may be considered.

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

#### Rationale

ACCA acknowledges the need to balance the protection of financial resources against the value having NCEES representatives at their best when they arrive to a meeting after prolonged travel. The committee determined that 5 hours of in-air flying time each way is a reasonable shift to achieve that balance. As the budget is established, trip costs will be established accordingly. With the budget approved, these trip finances are approved by the board of directors. Therefore, the person traveling makes the decision to invoke the policy, being aware of the budget implications, and must be able to answer for his or her decision.

#### Board of directors' position

Does not endorse, non-consent agenda

#### Board of directors' rationale

After discussing this motion at length, the board of directors decided not to support this modification to FP 3. The board feels that the president and president-elect should be able to travel business class as long as both stay within their approved budget lines.

### ACCA Motion 2

Move that AP 8 be amended as follows:

#### AP 8 Motions

Motions before the Council at the annual business meeting shall not be voted upon at the same business session in which they are introduced and initially discussed or prior to zone meetings. This policy shall not apply to privileged or subsidiary motions and may be suspended for other motions upon approval by a two-thirds majority vote.

Additionally, any motion to amend the *Model Law* or *Model Rules* presented at an annual business meeting by an entity other than the Committee on Uniform Procedures and Legislative Guidelines (UPLG) shall be referred to the UPLG Committee for review and revision of the language before it is presented for Council vote at the next scheduled annual business meeting.

#### Rationale

The committee felt strongly that the language in both the *Model Law* and *Model Rules* has been carefully crafted over many years and thoughtfully amended when necessary. Requiring a thorough review by the UPLG Committee will add clarity and a set procedure for any future model document amendments.

#### Board of directors' position

Endorses, consent agenda

### **ACCA Motion 3**

Move that the UPLG Committee be charged with incorporating the following changes into the preface of the *Model Law* and *Model Rules*:

#### **A PREFACE**

##### **Purpose of the NCEES *Model Law* and *Model Rules***

The vision of the National Council of Examiners for Engineering and Surveying (NCEES) is to provide leadership in professional licensure of engineers and surveyors through excellence in uniform laws, licensing standards, and professional ethics in order to safeguard the health, safety, and welfare of the public and to shape the future of professional licensure. The mission of NCEES is to advance licensure for engineers and surveyors in order to safeguard the health, safety, and welfare of the public.

NCEES serves as an organization through which its members—the engineering and surveying licensure boards in all U.S. states and territories—can counsel and act together to better discharge their duties as individual, autonomous regulatory agencies. One of the primary ways NCEES fulfills its vision and supports its mission is by providing the *Model Law* and *Model Rules* for adoption by its member boards.

The NCEES *Model Law* sets forth broad ideas about the regulation of engineering and surveying licensure. It is an enabling document that defines the board's powers and duties. It is designed to assist legislative counsels, legislators, and NCEES members in preparing new or amendatory legislation. Each line in the sections is numbered to facilitate use of this document as a working model.

The *Model Rules* complements the *Model Law* by providing model rules and regulations for the ways member boards can carry out the general concepts introduced and set forth in the law. While it is designed to explain broad provisions stated in the *Model Law* by offering the details from an administrative perspective, the *Model Rules*, just like a board's regulations or rulemaking process, functions only within the authority granted by the *Model Law*. The *Model Rules* is designed to assist NCEES member board members, board counsel, and board administrators in preparing and updating board rules.

Revisions to the *Model Law* and *Model Rules* are decided at the NCEES annual business meeting [each year, and any motion to amend the \*Model Law\* or \*Model Rules\* presented at an annual business meeting by an entity other than the Committee on Uniform Procedures and Legislative Guidelines \(UPLG\) shall be referred to the UPLG Committee for review and revision of the language for inclusion before it is presented for Council vote at the next scheduled annual meeting.](#) By vote, the majority of NCEES member boards have agreed that the language in them represents the gold standard for engineering and surveying licensure requirements in the United States.

The intent of NCEES in preparing these uniform model documents is to present its member boards with a high-level benchmark—and yet a sound and realistic guide—that will provide greater uniformity of qualifications for licensure, raise these qualifications to a higher level of accomplishment, and simplify the interstate licensure of engineers and surveyors.

#### **Rationale**

UPLG felt that the language in the *Model Law* and *Model Rules* has been carefully crafted over many years and thoughtfully amended when necessary. To add clarity and a set procedure for any future model document amendments, amendments proposed by an entity other than the UPLG Committee should be referred to UPLG for review. Note: ACCA is proposing separate changes to the prefaces as shown in Motion 7; the language shown above does not include the Motion 7 language.

#### **Board of directors' position**

Endorses, consent agenda

#### **ACCA Motion 4**

Move that a professional policy on Model Law designations be adopted as follows:

#### **PP XX NCEES Model Law Designations**

The NCEES Records program requires the delineation of the requirements for Model Law Engineer, Model Law Surveyor, and Model Law Structural Engineer. These designations may be used by state licensing boards to expedite comity applications.

The requirements for Model Law designations may only be amended after review by an appropriate standing committee or task force and ratification by the Council.

The designations are defined as follows:

1. Model Law Engineer—The term “Model Law Engineer” refers to an individual who has obtained licensure as a professional engineer in at least one jurisdiction as the result of satisfying the following conditions:
  - a. Earns one of the following:
    - (1) A bachelor’s degree in engineering from a program accredited by the Engineering Accreditation Commission of ABET (EAC/ABET)
    - (2) A master’s degree in engineering from a program accredited by the Engineering Accreditation Commission of ABET (EAC/M-ABET)
  - b. Passes the NCEES Fundamentals of Engineering (FE) examination and an NCEES Principles and Practice of Engineering (PE) examination
  - c. Meets one of the following experience requirements:
    - (1) Completes 4 years of acceptable engineering experience after confirmation of a bachelor of science degree in an engineering program accredited by EAC/ABET
    - (2) Completes 3 years of acceptable engineering experience after confirmation of a bachelor of science degree in engineering from an EAC/ABET-accredited engineering program and holds a master’s degree in engineering
    - (3) Completes 3 years of acceptable engineering experience after confirmation of a master’s degree in engineering from an EAC/M-ABET-accredited engineering program
    - (4) Completes 2 years of acceptable engineering experience and has an earned doctoral degree in engineering from an institution that offers EAC/ABET-accredited programs
  - d. Has a record clear of disciplinary action

For Model Law Engineer status to continue after such has been designated by NCEES, the individual must meet the requirements provided in Definition 4, Continuance of Model Law Engineer, Model Law Surveyor, and Model Law Structural Engineer Status.

2. Model Law Surveyor—The term “Model Law Surveyor” refers to an individual who has obtained licensure as a professional surveyor in at least one jurisdiction as the result of satisfying the following conditions:
  - a. Earns one of the following:
    - (1) A bachelor’s degree from a surveying engineering program accredited by the Engineering Accreditation Commission of ABET (EAC/ABET)
    - (2) A bachelor’s degree from a surveying and geomatics program accredited by the Applied Science Accreditation Commissions of ABET (ASAC/ABET)
    - (3) A bachelor’s degree from a surveying and geomatics program accredited by the Engineering Technology Accreditation Commission of ABET (ETAC/ABET)
  - b. Passes the NCEES Fundamentals of Surveying (FS) examination and the NCEES Principles and Practice of Surveying (PS) examination
  - c. Completes 4 years of acceptable surveying experience after confirmation of a bachelor of science degree in a surveying/geomatics program accredited by ASAC/ABET, EAC/ABET, or ETAC/ABET, which may include up to 1 year of experience for a graduate with a surveying/geomatics degree
  - d. Has a record clear of disciplinary action

The jurisdiction may also require a Model Law Surveyor to pass its state-specific examination for surveyors. For Model Law Surveyor status to continue after such has been designated by NCEES, the individual must meet the requirements provided in Definition 4, Continuance of Model Law Engineer, Model Law Surveyor, and Model Law Structural Engineer Status.

3. Model Law Structural Engineer—The term “Model Law Structural Engineer” refers to an individual who has obtained licensure in at least one jurisdiction as the result of satisfying the following conditions:
  - a. Earns one of the following:
    - (1) A bachelor’s degree in engineering from a program accredited by EAC/ABET



- (2) A master's degree in engineering from a program accredited by EAC/M-ABET
  - b. Passes a minimum of 18 semester (27 quarter) hours of structural analysis and design courses. At least 9 of the semester (14 quarter) hours must be structural design courses.
  - c. Passes the NCEES FE examination
  - d. Passes one of the following:
    - (1) 16 hours of NCEES structural examinations, 8 hours of which were from the SE II taken prior to January 1, 2011
    - (2) 16-hour state-written structural examinations taken prior to 2004
    - (3) NCEES SE II plus 8-hour state-written structural examinations taken prior to January 1, 2011
    - (4) NCEES 16-hour Structural Engineering (SE) examination taken after January 1, 2011
  - e. Meets one of the following experience requirements:
    - (1) Completes 4 years of acceptable structural engineering experience after confirmation of a bachelor of science degree in an engineering program accredited by EAC/ABET
    - (2) Completes 3 years of acceptable structural engineering experience after confirmation of a bachelor of science degree in engineering from an EAC/ABET-accredited engineering program and holds a master's degree in engineering that includes at least 6 semester (9 quarter) hours of structural engineering (in addition to the 18 hours noted above)
    - (3) Completes 3 years of acceptable structural engineering experience after confirmation of a master's degree in engineering from an EAC/M-ABET-accredited engineering program that includes at least 6 semester (9 quarter) hours of structural engineering (in addition to the 18 hours noted above)
    - (4) Completes 2 years of acceptable structural engineering experience and has an earned doctoral degree in engineering focused on structural engineering from an institution that offers EAC/ABET-accredited programs
  - f. Has a record clear of disciplinary action
- For Model Law Structural Engineer status to continue after such has been designated by NCEES, the individual must meet the requirements provided in Definition 4, Continuance of Model Law Engineer, Model Law Surveyor, and Model Law Structural Engineer Status.
- 4. Continuance of Model Law Engineer, Model Law Surveyor, and Model Law Structural Engineer Status—Any licensed professional who meets the criteria of the Model Law Engineer, Model Law Surveyor, or Model Law Structural Engineer shall continue to be designated Model Law Engineer, Model Law Surveyor, or Model Law Structural Engineer, even if these definitions are revised at a later date, provided that
    - a. The licensee has continually maintained his or her status as Model Law Engineer, Model Law Surveyor, or Model Law Structural Engineer
    - b. The licensee is not on revoked status or has not retired his or her license
    - c. The licensee has a record clear of disciplinary action and maintains a record clear of disciplinary action

### **Rationale**

The designation and continuance of Model Law status to engineers, structural engineers, and surveyors is solely a function of the NCEES Records program. Therefore, jurisdictional rules do not need to contain these definitions or the continuance clause (formerly referred to as “grandfathering”). Furthermore, there is no need to duplicate these definitions or the continuance clause into jurisdictional rules in order to facilitate expedited comity licensure since the individual NCEES Record communicates Model Law status to the licensing board. Finally, having these definitions as a professional policy forces the individual applicant to use the NCEES Records program to obtain Model Law status for expediting comity licensure rather than circumventing the Records program by requesting that a licensing jurisdiction make this determination based on definitions duplicated in jurisdictional rules. It is further noted that surveyors were previously excluded from the grandfathering clause presently contained in *Model Rules* 260.20 and that surveyors are now included in the continuance clause in the proposed professional policy.

### **Board of directors' position**

Endorses, consent agenda



### **ACCA Motion 5**

Move that the Professional Policies section of the *Manual of Policy and Position Statements* be renumbered as follows:

1. Publications (presently PP1)
2. Uniform Qualifications for Licensure (presently PP 3)
3. NCEES Credentials Evaluations Program (presently PP7)
4. NCEES Records Program (presently PP2)
5. Model Law Designations (proposed professional policy—see ACCA Motion 4)
6. Expedited Comity Licensure (presently PP5)
7. Firm Mobility (presently PP6)
8. International Relations (presently PP 4)

### **Rationale**

ACCA proposes the renumbering of the professional policies as a result of a recommendation from UPLG in order to give a more logical content flow.

### **Board of directors' position**

Endorses, consent agenda

### **ACCA Motion 6**

Move that a position statement on sustainability be adopted as follows:

### **PS XX Sustainability**

NCEES recommends that professional engineers incorporate the principles of sustainability to safeguard the health, safety, and welfare of the public now and in the future.

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

### **Rationale**

Engineers have a leading role in planning, designing, building, operating, maintaining, and ensuring a sustainable future. Engineers provide the bridge between science and society. In this role, engineers must actively promote and participate in multidisciplinary teams and work with the communities served and affected to effectively address the issues and challenges of sustainable development.

### **Board of directors' position**

Endorses, consent agenda

### **ACCA Motion 7**

Move that the UPLG Committee be charged with incorporating the following changes into the preface of the *Model Law* and *Model Rules*:

### **A PREFACE**

#### **Purpose of the NCEES *Model Law* and *Model Rules***

The vision of the National Council of Examiners for Engineering and Surveying (NCEES) is to provide leadership in professional licensure of engineers and surveyors through excellence in uniform laws, licensing standards, and professional ethics in order to safeguard the health, safety, and welfare of the public and to shape the future of professional licensure. The mission of NCEES is to advance licensure for engineers and surveyors in order to safeguard the health, safety, and welfare of the public.

NCEES serves as an organization through which its members—the engineering and surveying licensure boards in all U.S. states and territories—can counsel and act together to better discharge their duties as individual, autonomous regulatory agencies. One of the primary ways NCEES fulfills its vision and supports its mission is by providing the *Model Law* and *Model Rules* for adoption by its member boards.

The NCEES *Model Law* sets forth broad ideas about the regulation of engineering and surveying licensure. It is an enabling document that defines the board's powers and duties. It is designed to assist legislative counsels, legislators, and NCEES members in preparing new or amendatory legislation. Each line in the sections is numbered to facilitate use of this document as a working model.

The *Model Rules* complements the *Model Law* by providing model rules and regulations for the ways member boards can carry out the general concepts introduced and set forth in the law. While it is designed to explain broad provisions stated in the *Model Law* by offering the details from an administrative perspective, the *Model Rules*, just like a board's regulations or rulemaking process, functions only within the authority granted by the *Model Law*. The *Model Rules* is designed to assist NCEES member board members, board counsel, and board administrators in preparing and updating board rules.

Revisions to the *Model Law* and *Model Rules* are decided at the NCEES annual business meeting each year. By vote, the majority of NCEES member boards have agreed that the language in ~~them~~ [these model documents](#) represents the gold standard for engineering and surveying licensure requirements in the United States. [Since the majority of the member boards agree that these high standards for licensure requirements have merit, the member boards should strive to implement these standards.](#)

The intent of NCEES in preparing these uniform model documents is to present its member boards with a high-level benchmark—and yet a sound and realistic guide—that will provide greater uniformity of qualifications for licensure, raise these qualifications to a higher level of accomplishment, and simplify the interstate licensure of engineers and surveyors.

#### **Rationale**

UPLG recently updated the *Model Law* and *Model Rules* prefaces. ACCA proposes adding one sentence to the prefaces to further stress the importance for all member boards to adopt all elements of the *Model Law* and *Model Rules*. Note: ACCA is proposing separate changes to the prefaces as shown in Motion 3; the language shown above does not include the Motion 3 language.

#### **Board of directors' position**

Endorses, consent agenda

#### **ACCA Motion 8**

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

**Section 4.04 Elections and Terms of Office.** The President-Elect shall be elected by the Council at each Annual Business Meeting in the manner prescribed in the *Bylaws*. The Treasurer shall be elected at each Annual Business Meeting held in an odd-numbered year, in the manner prescribed in the *Bylaws*. Vice Presidents from the Southern and Northeast Zones shall be elected at their Interim Zone Meeting in odd-numbered years. Vice Presidents from the Central and Western Zones shall be elected at their Interim Zone Meeting in even-numbered years. The Chief Executive Officer is appointed as provided in the *Bylaws*.

The President-Elect shall normally serve the Council for a period of three years. The first year shall be as President-Elect. The second year, without further election, the President-Elect shall become President, holding that office until a successor has been installed. The third year, without further election, the President shall become Immediate Past President, holding that office until a successor has been installed. Vice Presidents shall hold office for two years or until their successors have been installed. The Treasurer's term of office shall be two years, ~~and that person may serve a maximum of two consecutive terms~~. For the office of Treasurer, a partial term served for the period between consecutive Annual Meetings shall not be considered a term for term-limit purposes.

Past Presidents shall be ineligible for re-election as President-Elect of the Council. Vice Presidents ~~and the Treasurer~~ shall not be eligible for re-election to the same office until at least one full two-year term has elapsed.

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

Any member elected to the office of President-Elect shall be eligible to serve as President-Elect, President, and Immediate Past President, with the full authority of the offices and board privileges, until the expiration of the term as Immediate Past President, even though no longer a member of a Member Board.

**Rationale**

There are many Council members who are eager to serve in leadership roles within NCEES. Having the treasurer serve no more than one consecutive term gives more individuals the opportunity to serve in a leadership role within the board of directors. The proposed restriction is consistent with term limitations for zone vice presidents.

**Board of directors' position**

Does not endorse, non-consent agenda

**Board of directors' rationale**

The board of directors does not support this modification to the *Bylaws*. The board believes that by leaving the treasurer term at two years, the two zones that are in currently in sync with the treasurer's election (the Northeast and Southern Zones) are given an advantage. The board recommends that the term length be changed to three years to remedy that situation.

**ACCA Motion 9**

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

**Section 4.06 Vacancies.** If a vacancy occurs in the office of President, the President-Elect shall succeed to the office of President for the completion of the two-year term. A vacancy in the office of President-Elect shall be filled by the Board of Directors. In the event of a vacancy in the office of Immediate Past President, the office shall be filled by the most recent available Past President. In the event of a vacancy in the office of a Vice President, the Assistant Vice President of the zone will automatically succeed to the office of Vice President. In the event of a vacancy in the office of Treasurer, [the Board of Directors shall select an individual to fill the position until an election shall be is held to fill the unexpired term of Treasurer](#) at the Annual Business Meeting [immediately following the vacancy in the next odd-numbered year.](#)

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

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

**Rationale**

The position of treasurer is of importance to NCEES operations. A vacancy would remove vital oversight from NCEES. The *Bylaws* addresses other vacancies and should address the possible vacancy of the office of treasurer. The recommended language intends to correct the situation.

**Board of directors' position**

Endorses, non-consent agenda

**Board of directors' rationale**

If ACCA Motion 8 passes, then the board of directors is in favor of the proposed language above. If Motion 8 does not pass, the Bylaws Committee may need to revise it accordingly with regard to “in the next odd-numbered year.”

## Committee on Examination Policy and Procedures

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### EPP Motion 1

Move that EDP 3D be amended as follows:

#### EDP 3 Engineering and Surveying Examinations and Formats

- D. Examination items for all examinations shall be maintained solely 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 pencil-and-paper examination to be published, the committee shall also have available at least one additional exam that is ready to print immediately and an item bank that contains sufficient items to assemble a third examination in accordance with respective examination specifications and procedures.~~  
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 forms available to examinees in a testing window.
  - ~~2. CBT item pools (subset of an item bank) must have sufficient back-up items as determined by the EPE/EPS committees.~~  
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 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*.

#### Rationale

The proposed language in paragraph 1 covers both existing pencil-and-paper exams as well as LFF exams in CBT. Paragraph 2 covers computer-based LOFT exams. The exam item pools are a subset of the item bank and the sizing of the pools, and thereby the bank is heavily based on examinee population. Because examinee population varies between disciplines, it was determined that the policy should cover the overall requirements of back-up items, but the detailed sizing of the pools (based on examinee population) is better detailed in the *Exam Development Procedure Manual*. This was evaluated, discussed, and agreed upon by the EPE, EPS, and EPP committees.

#### Board of directors' position

Endorses, consent agenda

### EPP Motion 2

Move that EDP 3B 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.
- B. The Principles and Practice of Engineering examinations shall be offered only in the following disciplines and shall be open-book, pencil-and-paper examinations (~~unless otherwise noted~~) or offered via CBT with supplied references as defined in EAP 4:
  1. GROUP I
    - a. Chemical
    - b. Civil
    - c. Electrical and Computer—Computer Engineering
    - d. Electrical and Computer—Electrical and Electronics
    - e. Electrical and Computer—Power
    - f. Environmental
    - g. Mechanical
    - h. 16-hour Structural Engineering
  2. GROUP II
    - a. Agricultural/Biological
    - b. Architectural

- c. Control Systems
- d. Fire Protection
- e. Industrial
- f. Metallurgical/Materials
- g. Mining/Mineral Processing
- h. Naval Architecture/Marine
- i. Nuclear
- j. Petroleum
- k. Software

**Rationale**

The proposed amendment in section B allows for the most flexibility during the time of transition of the PE exams from pencil-and-paper to CBT. Section A is shown for reference.

**Board of directors' position**

Endorses, consent agenda

**EPP Motion 3**

Move that EDP 4A be amended as follows:

**EDP 4 Availability**

- A. The following examinations shall be available on a regular schedule per EAP 2:
  - 1. Fundamentals of Engineering
  - 2. ~~Group I—Principles and Practice of Engineering~~
  - 3. ~~Group II—Principles and Practice of Engineering~~
    - a. ~~Spring only: Agricultural/Biological Engineering, Architectural Engineering, Industrial Engineering, Naval Architecture/Marine Engineering, and Software Engineering~~
    - b. ~~Fall only: Control Systems Engineering, Fire Protection Engineering, Metallurgical/Materials Engineering, Mining/Mineral Processing Engineering, Nuclear Engineering, and Petroleum Engineering~~
  - 43. Fundamentals of Surveying
  - 54. 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**

The proposed amendment in section A allows for the most flexibility during the time of transition of the PE exams from pencil-and-paper to CBT.

**Board of directors' position**

Endorses, consent agenda

## Committee on Uniform Procedures and Legislative Guidelines

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### **UPLG Motion 1**

Move that *Model Law 110.20*, *Model Law 130.10*, and *Model Rules 230.10* be amended as follows:

#### **Model Law 110.20 Definitions**

~~N. Or the Equivalent—The term “Or the Equivalent,” as used in this Act, shall mean an educational program/curriculum that meets the NCEES Engineering Education Standard or a surveying program/curriculum that meets the NCEES Surveying Education Standard, as applicable.~~

~~ON. Authoritative—The term “Authoritative,” as used in this Act or Rules promulgated under this Act, shall mean being presented as trustworthy and competent when used to describe products, processes, applications, or data resulting from the practice of surveying.~~

~~PO. Disciplinary Action—The term “Disciplinary Action,” as used in this Act, shall mean any final written decision or settlement taken against an individual or firm by a licensing board based upon a violation of the board’s laws and rules.~~

#### **Model Law 130.10 General Requirements for Licensure**

Education, experience, and examinations are required for licensure as a professional engineer or professional surveyor.

##### **A. Certification or Enrollment as an Engineer Intern**

The following shall be considered as minimum evidence that the applicant is qualified for certification as an engineer intern.

1. Graduating from an engineering program of 4 years or more accredited by the Engineering Accreditation Commission of ABET (EAC/ABET), ~~or the equivalent, or graduating from~~ an engineering master’s program accredited by EAC/ABET, ~~or meeting the requirements of the NCEES Engineering Education Standard~~

2. Passing the NCEES Fundamentals of Engineering (FE) examination

##### **B. Licensure as a Professional Engineer**

###### **3. Initial Licensure as a Professional Engineer**

An applicant who presents evidence of meeting the applicable education, examination, and experience requirements as described below shall be eligible for licensure as a professional engineer.

###### **a. Education Requirements**

An individual seeking licensure as a professional engineer shall possess one or more of the following education qualifications:

- (1) A bachelor’s degree in engineering from an EAC/ABET-accredited program
- (2) A master’s degree in engineering from an institution that offers EAC/ABET-accredited programs
- (3) A master’s degree in engineering from an EAC/M-ABET-accredited program
- (4) An earned doctoral degree in engineering acceptable to the board

###### **b. Examination Requirements**

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

- (1) The FE examination may be taken by a college senior or graduate of an engineering program of 4 years or more accredited by EAC/ABET, ~~or the equivalent of a program that meets the requirements of the NCEES Engineering Education Standard~~, or ~~of~~ an engineering master’s program accredited by EAC/ABET.
- (2) The PE examination may be taken by an engineer intern.

##### **C. Certification or Enrollment as a Surveyor Intern**

The following shall be considered as minimum evidence that the applicant is qualified for certification or enrollment as a surveyor intern.

1. Graduating from a surveying program of 4 years or more accredited by EAC/ABET, the Engineering Technology Accreditation Commission of ABET (ETAC/ABET), the Applied Science Accreditation Commission of ABET (ASAC/ABET), or ~~the equivalent meeting the requirements of the NCEES Surveying Education Standard~~
2. Graduating from a program related to surveying of 4 years or more as approved by the board and with a specific record of 2 years of progressive experience in surveying

3. Graduating from a program of 4 years or more as approved by the board and with a specific record of 4 years of progressive experience in surveying
- In addition to satisfying one of the above requirements, the applicant shall pass the NCEES Fundamentals of Surveying (FS) examination.

### **Model Rules 230.10 Education Requirements Approved by the Board**

#### **A. Undergraduate Engineering Program**

The term “an engineering program of 4 years or more” used in Section 130.10 A of the NCEES *Model Law* is interpreted by this board to mean the following:

1. A bachelor’s degree in an engineering program accredited by the Engineering Accreditation Commission of ABET (EAC/ABET) at the time of the awarding of the degree. The board may accept the degree if accreditation is received within *[insert the prescribed period of time]*.
2. A bachelor’s degree in an engineering program not accredited by EAC/ABET but ~~deemed by the board to be substantially equivalent to those programs that have been accredited by EAC/ABET~~ meets the requirements of the NCEES Engineering Education Standard

#### **B. Surveying Program**

The following shall be considered as minimum evidence to the board that the applicant is qualified in terms of education for certification as a surveyor intern:

1. Graduation from “a surveying program of 4 years or more accredited by EAC/ABET, the Engineering Technology Accreditation Commission of ABET (ETAC/ABET), or the Applied Science Accreditation Commission of ABET (ASAC/ABET) at the time of awarding of the degree or ~~the equivalent,~~ from a program that meets the requirements of the NCEES Surveying Education Standard as described in Section 130.10 C.1 in NCEES *Model Law*, ~~and accredited at the time of awarding of the bachelor’s degree.~~ The board may accept the degree if accreditation is received within *[insert the prescribed period of time]*.
2. Graduation from “a program related to surveying of 4 years or more” as described in Section 130.10 C.2 in NCEES *Model Law* is interpreted to be a bachelor’s degree including surveying courses, mathematics, and physical science.
3. Graduation from a “program of 4 years or more” as described in Section 130.10 C.3 in NCEES *Model Law* is interpreted to mean a program other than those defined in 1 or 2 above that is accepted by the board.

### **Rationale**

In 1997, ABET adopted a new evaluation system (EC2000), which is outcomes based. This means it is not possible to determine ABET equivalence. After NCEES member boards indicated a need to be able to evaluate actual curriculum/coursework from non-ABET-accredited programs, an NCEES ad hoc committee developed the NCEES Engineering Education Standard and NCEES Surveying Education Standard, which can be used to review degrees from non-ABET-accredited programs. These standards have specific curriculum measurements (and are not outcomes based). The NCEES board of directors adopted these standards in 2011, and the NCEES Credentials Evaluations Department then began using the standards for its evaluations. These proposed amendments are to update language to reflect current practice.

### **Board of directors’ position**

Endorses, consent agenda



**UPLG Motion 2**

Move that PS 13 be amended 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	
<del>Other Countries Non-EAC/ABET Accredited</del>	4 or more	Education should be evaluated <del>for EAC/ABET equivalency</del> <u>using the NCEES Engineering Education Standard.</u>
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.		
Unaccredited Engineering Program	6	Needed by some boards
ETAC/ABET Accredited	6	Needed by some boards
Related Science*	8	Needed by some boards
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**

The amendments are to update language to reflect current practice. “Other Countries” is outdated because ABET accredits programs in countries outside the United States. Because ABET has moved to an outcomes-based assessment, it is not possible to evaluate for ABET equivalency, so the NCEES Engineering Education Standard should be used instead.

**Board of directors’ position**

Endorses, consent agenda

**UPLG Motion 3**

Move that *Model Rules 230.20* be amended as follows:

**Model Rules 230.20 Experience****A. As a Professional Engineer**

In evaluating experience that indicates to the board that the applicant may be competent to practice engineering, the following will be considered:

1. Experience must be progressive on engineering projects ~~to indicate that it is of and must demonstrate an increasing quality and requiring~~ greater responsibility. Experience must be obtained in accordance with *Model Law 130.10*.
2. Only work of an engineering nature that follows graduation from a program ~~accredited by the Engineering Accreditation Commission of ABET (EAC/ABET) or a program deemed to be substantially equivalent is creditable, that meets the criteria set forth in *Model Law 130.10 B3* is acceptable.~~
3. Experience must not be obtained in violation of the licensure act.
4. Experience gained in the armed services, ~~to be creditable,~~ must be of a character equivalent to that which would have been gained in the civilian sector doing similar work. ~~Normally, it would be expected that the applicant served in an engineering or engineering-related group while in the armed services.~~
5. Experience should be gained under the supervision of a licensed professional engineer; if it is not, an explanation should be made showing why the experience should be considered acceptable. Experience gained under the technical supervision of an unlicensed individual may be considered if the appropriate credentials of the unlicensed supervisor are submitted to the board.
6. ~~For sales~~ experience ~~to be creditable, it~~ must be demonstrated that engineering principles were required and used in gaining the experience.



7. Teaching experience, ~~to be creditable~~, must be in engineering or engineering-related courses at an advanced level in a college or university offering an engineering program of 4 years or more that is approved by the board.
8. Experience ~~may be~~ gained in engineering research and design projects by members of an engineering faculty where the program is approved by the board ~~is creditable~~.
- ~~9. Successful completion of graduate study leading to the master's degree in engineering from an institution that offers EAC/ABET-accredited programs may be used for credit for 1 year's experience. If the earned doctoral degree in engineering is completed under the same conditions, 2 years' total experience may be credited. The 2 years' credit includes the 1 year for the master's degree. If the earned doctoral degree is obtained without the master's degree, the credit for experience may be 2 years.~~
- ~~10.~~ Experience may not be anticipated. The experience must have been gained by the time of the application.
- ~~11.~~ Experience in construction, ~~to be creditable~~, must demonstrate the application of engineering principles.
- ~~12.~~ Experience should include demonstration of a knowledge of engineering mathematics, physical and applied science, properties of materials, and the fundamental principles of engineering design.
- ~~13.~~ Experience should include demonstration of the application of engineering principles in the practical solution of engineering problems.
- ~~14.~~ The board may deem professional experience acquired by applicants outside the United States to be equivalent to the minimum board requirements established by regulations for professional experience in that jurisdiction.

B. As a Professional Surveyor

In evaluating experience that indicates to the board that the applicant may be competent to practice surveying, the following will be considered:

1. Experience must be progressive on surveying projects ~~to indicate that it is of~~ and must demonstrate an increasing quality and requiring greater responsibility. Experience must be obtained in accordance with Model Law 130.10.
2. Experience must not be obtained in violation of the licensure act.
3. Experience gained in the armed services, ~~to be creditable~~, must be of a character equivalent to that which would have been gained in the civilian sector doing similar work. ~~Normally it would be expected that the applicant served in a surveying or surveying-related group while in the armed services.~~
4. Experience should be gained under the supervision of a licensed professional surveyor or, if not, an explanation should be made showing why the experience should be considered acceptable. Experience gained under the technical supervision of an unlicensed individual may be considered if the appropriate credentials of the unlicensed supervisor are submitted to the board.
5. Teaching experience, ~~to be creditable~~, must be in surveying or surveying-related courses at an advanced level in surveying or surveying-related courses approved by the board.
6. A substantial portion of the experience must be spent in charge of work related to property conveyance and/or boundary line determination.
7. ~~Adequate e~~ Experience in the technical field aspects of the profession must be demonstrated.
8. Experience ~~may not be anticipated. The experience~~ must have been gained by the time of the application.
9. Experience should include demonstration of the application of surveying principles in the practical execution of surveying tasks.
10. Experience ~~may be~~ gained in surveying research projects by members of a surveying faculty where the program is approved by the board ~~is creditable~~.
- ~~11. Successful completion of graduate study leading to the master's degree in surveying from an institution that offers EAC/ABET, ASAC/ABET, or ETAC/ABET-accredited programs may be used for credit for 1 year's experience. If the earned doctoral degree in surveying is completed under the same conditions, 2 years' total experience may be credited; the 2 years' credit includes the 1 year for the master's degree. If the earned doctoral degree is obtained without the master's degree, the credit for experience may be 2 years.~~
- ~~12.~~ The board may deem professional experience acquired by applicants outside the United States to be equivalent to the minimum board requirements established by regulations for professional experience in that jurisdiction.

**Rationale**

UPLG is proposing most of these changes to clarify/tighten the language and to eliminate redundancy with the *Model Law*. Paragraphs A9 and B11 are not needed because *Model Law* 130.10 states this requirement more

clearly. The language above does not state that four years is the baseline requirement. In addition, the FE waiver for an engineer with a doctorate degree is not mentioned here but is included in the *Model Law*. The term “to be creditable” is extraneous because it is understood as part of the language.

At its face-to-face meeting, UPLG agreed that this entire section needs to be reviewed substantively by the appropriate committee. Its edits above are to clean up the language but not to make substantive edits. It therefore recommends that a committee be charged with doing this type of review. UPLG also initially was going to propose changing “should” to “must” throughout as an edit for consistency. However, it subsequently realized that the Records program uses this part of the *Model Rules* when evaluating experience qualifications; therefore, UPLG recommends that the appropriate committee also be charged with reviewing the use of those terms and consult with the Records program on possible consequences of any language changes.

## Board of directors' position

Endorses, consent agenda

### UPLG Motion 4

Move that *Model Rules* 210.20, 230.60, and 260.20 be amended as follows:

#### **Model Rules 210.20 Definitions**

A.—The NCEES *Model Law*, Section 110.20, Definitions, provides definitions that also apply to these *Model Rules*.

B.—The following definitions are included in the *Model Rules* only:

- 1.—~~Model Law Engineer—The term “Model Law Engineer” refers to an individual who has obtained licensure as a professional engineer in at least one jurisdiction as the result of satisfying the following conditions:~~
  - a.—~~Earns one of the following:~~
    - (1) ~~A bachelor’s degree in engineering from a program accredited by the Engineering Accreditation Commission of ABET (EAC/ABET)~~
    - (2) ~~A master’s degree in engineering from a program accredited by the Engineering Accreditation Commission of ABET (EAC/M-ABET)~~
  - b.—~~Passes the NCEES Fundamentals of Engineering (FE) examination and an NCEES Principles and Practice of Engineering (PE) examination~~
  - c.—~~Meets one of the following experience requirements:~~
    - (1) ~~Completes 4 years of acceptable engineering experience after confirmation of a bachelor of science degree in an engineering program accredited by EAC/ABET~~
    - (2) ~~Completes 3 years of acceptable engineering experience after confirmation of a bachelor of science degree in engineering from an EAC/ABET accredited engineering program and holds a master’s degree in engineering~~
    - (3) ~~Completes 3 years of acceptable engineering experience after confirmation of a master’s degree in engineering from an EAC/M-ABET accredited engineering program~~
    - (4) ~~Completes 2 years of acceptable engineering experience and has an earned doctoral degree in engineering from an institution that offers EAC/ABET accredited programs~~
  - d.—~~Has a record clear of disciplinary action~~  
~~To maintain Model Law Engineer status, the individual must maintain a record clear of disciplinary action pursuant to NCEES Model Law, Section 150.10.~~
- 2.—~~Model Law Surveyor—The term “Model Law Surveyor” refers to an individual who has obtained licensure as a professional surveyor in at least one jurisdiction as the result of satisfying the following conditions:~~
  - a.—~~Earns one of the following:~~
    - (1) ~~A bachelor’s degree from a surveying engineering program accredited by the Engineering Accreditation Commission of ABET (EAC/ABET)~~
    - (2) ~~A bachelor’s degree from a surveying and geomatics program accredited by the Applied Science Accreditation Commissions of ABET (ASAC/ABET)~~
    - (3) ~~A bachelor’s degree from a surveying and geomatics program accredited by the Engineering Technology Accreditation Commission of ABET (ETAC/ABET)~~
  - b.—~~Passes the NCEES Fundamentals of Surveying (FS) examination and the NCEES Principles and Practice of Surveying (PS) examination~~

- e. ~~Completes 4 years of acceptable surveying experience after confirmation of a bachelor of science degree in a surveying/geomatrics program accredited by ASAC/ABET, EAC/ABET, or ETAC/ABET, which may include up to 1 year of experience for a graduate with a surveying/geomatrics degree~~
- d. ~~Has a record clear of disciplinary action~~  
~~The jurisdiction may also require a Model Law Surveyor to pass its state specific examination for surveyors. To maintain Model Law Surveyor status, the individual must maintain a record clear of disciplinary action pursuant to NCEES Model Law, Section 150.10.~~
- 3. ~~Model Law Structural Engineer—The term “Model Law Structural Engineer” refers to an individual who has obtained licensure in at least one jurisdiction as the result of satisfying the following conditions:~~
  - a. ~~Earns one of the following:~~
    - (1) ~~A bachelor’s degree in engineering from a program accredited by EAC/ABET~~
    - (2) ~~A master’s degree in engineering from a program accredited by EAC/M-ABET~~
  - b. ~~Passes a minimum of 18 semester (27 quarter) hours of structural analysis and design courses. At least 9 of the semester (14 quarter) hours must be structural design courses.~~
  - e. ~~Passes the NCEES FE examination~~
  - d. ~~Passes one of the following:~~
    - (1) ~~16 hours of NCEES structural examinations, 8 hours of which were from the SE-II taken prior to January 1, 2011~~
    - (2) ~~16 hour state written structural examinations taken prior to 2004~~
    - (3) ~~NCEES SE-II plus 8 hour state written structural examinations taken prior to January 1, 2011~~
    - (4) ~~NCEES 16 hour Structural Engineering (SE) examination taken after January 1, 2011~~
  - e. ~~Meets one of the following experience requirements:~~
    - (1) ~~Completes 4 years of acceptable structural engineering experience after confirmation of a bachelor of science degree in an engineering program accredited by EAC/ABET~~
    - (2) ~~Completes 3 years of acceptable structural engineering experience after confirmation of a bachelor of science degree in engineering from an EAC/ABET accredited engineering program and holds a master’s degree in engineering that includes at least 6 semester (9 quarter) hours of structural engineering (in addition to the 18 hours noted above)~~
    - (3) ~~Completes 3 years of acceptable structural engineering experience after confirmation of a master’s degree in engineering from an EAC/M-ABET accredited engineering program that includes at least 6 semester (9 quarter) hours of structural engineering (in addition to the 18 hours noted above)~~
    - (4) ~~Completes 2 years of acceptable structural engineering experience and has an earned doctoral degree in engineering focused on structural engineering from an institution that offers EAC/ABET accredited programs~~
  - f. ~~Has a record clear of disciplinary action~~  
~~To maintain Model Law Structural Engineer status, the individual must maintain a record clear of disciplinary action pursuant to NCEES Model Law, Section 150.10.~~

### **Model Rules 230.60 Applications**

#### **F. Comity Licensure**

2. The board administrator is authorized to review and evaluate the applications of all comity applicants to determine if they meet or exceed the criteria of a Model Law Engineer, Model Law Structural Engineer, or Model Law Surveyor as ~~defined in Section 210.20 of these Rules and as designated by NCEES as set forth in the NCEES Manual of Policy and Position Statements~~. If the applicant meets or exceeds these requirements, the board administrator may issue a contingent license authorizing that individual to offer or provide engineering or surveying services in this jurisdiction. A list of all engineers issued contingent licenses will be placed on the agenda of the next meeting of the board for formal approval by the board. A list of all surveyors who have been issued contingent licenses and who have passed the appropriate jurisdiction-specific examination will be placed on the agenda of the next meeting for formal approval by the board.

### **~~Model Rules 260.20 Grandfathering of Model Law Engineers and Model Law Structural Engineers~~**

~~Any licensed professional who meets the criteria of the Model Law Engineer as defined in Section 210.20 B.1 or Model Law Structural Engineer as defined in Section 210.20 B.3 shall continue to be designated Model Law Engineer or Model Law Structural Engineer, even if the Model Law or Model Rules is revised at a later date, provided that~~

- A. ~~The licensee has continually maintained his or her status as Model Law Engineer or Model Law Structural Engineer~~

- ~~B. The licensee is not on revoked status or has not retired his or her license~~
- ~~C. The licensee has a record clear of disciplinary action and maintains a record clear of disciplinary action~~

### Rationale

ACCA is proposing a motion to add a professional policy in the *Manual of Policy and Position Statements* to include the Model Law Engineer, Model Law Surveyor, and Model Law Structural Engineer designations. These are internal NCEES designations that are used as part of the Records program. They are not intended to be adopted as part of a jurisdiction's law or rules and are therefore out of place in the NCEES model documents. The *Model Law* offers a broader section listing the general requirements for licensure, and the *Model Rules* has separate sections detailing education, experience, and examination requirements for licensure. These sections are the ones intended for boards to use in adopting laws and rules. The proposed ACCA policy also addresses grandfathering, so *Model Rules 260.20* is no longer needed.

### Board of directors' position

Endorses, consent agenda

### UPLG Motion 5

Move that *Model Rules 210.10* be amended as follows:

#### **Model Rules 210.10 Introduction**

##### ~~A. Purpose~~

~~The purpose of adopting rules is to safeguard the health, safety, and welfare of the public by ensuring the proper performance of the duties of the board and the regulation of its procedures, meetings, records, examinations, and the conduct thereof.~~

##### ~~B. Requirements for Adoption~~

~~The adopted rules of procedure may not be inconsistent with the constitution and laws of this jurisdiction. They must be approved by appropriate legislative authority of the jurisdiction. (Section 120.60 A, Board Powers, NCEES Model Law)~~

##### ~~C. Authority of Rules~~

~~Rules adopted by the board shall be binding upon individuals licensed or recognized under the licensure act and on non-licensees found by the board to be in violation of provisions of the licensure act and shall be applicable to firms that hold or should hold a certificate of authorization. (Section 120.60 A, Board Powers, NCEES Model Law)~~

### Rationale

The stricken text is not needed because the *Model Law* establishes the authority and procedure of the rules. The law already states the authority to promulgate rules in Section 120.60.

### Board of directors' position

Endorses, consent agenda

### UPLG Motion 6

Move that *Model Rules 220.30* be amended as follows:

#### **Model Rules 220.30 Fees**

##### A. Application Fees

1. *[\$insert amount]*—For professional engineer and professional surveyor licensure, as provided in the NCEES *Model Law*, Section 130.20 B
2. *[\$insert amount]*—For engineer intern and surveyor intern certification, as provided in the NCEES *Model Law*, Section 130.20 B
3. *[\$insert amount]*—For firm certificate of authorization, as provided in the NCEES *Model Law*, Section 160.40 B
4. When the issuance of a certificate to an applicant is denied, the fee paid shall be retained as an application fee, as provided in the NCEES *Model Law*, Sections 130.20 C and 160.40C. Applications received without the proper fee will be returned to the applicant.

**Rationale**

The changes in paragraph 4 are for consistency with the first three paragraphs.

**Board of directors' position**

Endorses, consent agenda

**UPLG Motion 7**

Move that *Model Rules 230.30* be amended as follows:

**Model Rules 230.30 References**

References are those individuals who should have personal knowledge of an applicant and who are able to issue judgments concerning an applicant's experience, ability, character, or reputation.

- A. For licensure as a professional engineer or professional surveyor, an applicant must submit 5 references, 3 of whom shall be professional engineers, professional surveyors, or other individuals deemed acceptable to the board, who have personal knowledge of the applicant's engineering or surveying experience. In addition, for each employment period, individuals familiar with the applicant's experience for that period must be identified. Engineering applicants must have professional engineer references, and surveying applicants must have professional surveyor references.
- B. Relatives may not be used as references.
- C. No current board member shall be used as a reference.
- D. Each applicant should inform the individuals being used as references that they will be sent a reference form to complete and return.
- E. It is the responsibility of the applicant to ensure that the individuals giving the reference return a completed reference form to the board within a reasonable time. All reference materials must be complete before any board action may be taken on an application.
- F. [Confidentiality of Reference Replies](#)  
Replies received from references regarding the qualifications of an applicant shall be placed in files that are considered [confidential](#), nonpublic records. The source and character of the information will not be divulged except in special cases when required by law.

**Rationale**

This is a housekeeping change to make section F consistent with the format of the other paragraphs in the section.

**Board of directors' position**

Endorses, consent agenda

**UPLG Motion 8**

Move that *Model Rules 230.40 A* be amended as follows:

**Model Rules 230.40 Examinations**

- A. Classification of Engineering Examinations  
This jurisdiction or its designee will provide the following examinations, prepared and furnished by NCEES, meeting the requirements of this jurisdiction for licensure as a professional engineer:
  - 1. NCEES Fundamentals of Engineering (FE) examination—The examination consists of subject matters in the fundamentals of engineering. Passing this examination qualifies the examinee for certification as an engineer intern, provided the examinee has met all other requirements for certification required by ~~this Act~~ [these Rules](#).
  - 2. NCEES Principles and Practice of Engineering (PE) examination—The examination consists of subject matters in applied engineering. Passing this examination qualifies the examinee for licensure as a professional engineer, provided the examinee has met the other requirements for licensure required by ~~this Act~~ [these Rules](#).

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**Rationale**

This is a housekeeping change because this language is in the rules, not the act.

**Board of directors' position**

Endorses, consent agenda

## UPLG Motion 9

Move that *Model Rules* 230.40 B and D and 230.60 A and B be amended as follows:

### **Model Rules 230.40 Examinations**

- B. Eligibility of Applicant for ~~an~~ Engineering Examinations
1. NCEES Fundamentals of Engineering (FE) Examination
    - a. Those who are college seniors in at least a 4-year program leading to a bachelor's degree in an engineering program may register with NCEES directly to take the FE examination or, if required, apply to the board for admission to the FE examination.
    - b. To be certified as an engineer intern, an application for certification may be submitted to the board upon passing the FE examination and meeting the education requirements.
  2. NCEES Principles and Practice of Engineering (PE) Examination
    - ~~1~~a. Applicants for licensure as a professional engineer will be permitted to sit for the PE examination upon satisfactorily fulfilling all application requirements of the jurisdiction.
    - ~~2~~b. No applicant may sit for the PE examination until the board has established that the applicant is eligible for the examination.
    - ~~3~~c. Engineering doctorate degree applicants with an undergraduate degree from a program accredited by the Engineering Accreditation Commission of ABET (EAC/ABET) and with a doctorate degree in engineering from an institution that offers EAC/ABET-accredited undergraduate programs in the doctorate degree field of engineering and with experience that meets the qualifications defined by the board may sit for the PE examination without having taken or passed the FE examination.
- D. Eligibility of Applicant for ~~a~~ Surveying Examinations
1. NCEES Fundamentals of Surveying (FS) Examination
    - a. Those who are college seniors in at least a 4-year program leading to a bachelor's degree in a surveying program may register with NCEES directly to take the FS examination or, if required, apply to the board for admission to the FS examination.
    - b. To be certified as a surveyor intern, an application for certification may be submitted to the board upon passing the FS examination and meeting the education and experience requirement.
  2. NCEES Principles and Practice of Surveying (PS) Examination
    - ~~1~~a. An applicant for licensure as a professional surveyor will not be permitted to sit for the PS examination until the FS examination has been passed.
    - ~~2~~b. No applicant may sit for the PS examination until the board has established that the applicant is eligible for the examination.

### **Model Rules 230.60 Applications**

#### A. Types of Applications

Licensure as a professional engineer or professional surveyor or certification as an engineer intern or surveyor intern requires that an applicant present his or her qualifications on forms prescribed by this board.

1. Applications for licensure as a professional engineer or professional surveyor are accepted from those who believe that they are qualified by education and experience, according to laws of this jurisdiction, to be licensed as a professional engineer or a professional surveyor.
2. Applications for certification as an engineer intern or a surveyor intern are accepted from those who believe that they have the necessary qualifications for licensure according to the laws of this jurisdiction, as a professional engineer or a professional surveyor except for that of education and experience.
- ~~3. Those who are college seniors in at least a 4-year program leading to a bachelor's degree in an engineering program may register with NCEES directly to take the NCEES Fundamentals of Engineering (FE) examination or, if required, apply to the board for admission to the FE examination.~~
- ~~4. To be certified as an engineer intern, an application for certification may be submitted to the board upon passing the FE examination and meeting the education requirements.~~
- ~~5. Those who are college seniors in at least a 4-year program leading to a bachelor's degree in a surveying program may register with NCEES directly to take the NCEES Fundamentals of Surveying (FS) examination or, if required, apply to the board for admission to the FS examination.~~
- ~~6. To be certified as a surveyor intern, an application for certification may be submitted to the board upon passing the FS examination and meeting the education and experience requirements.~~
- ~~7. Applications for licensure properly executed and issued with verification by NCEES will be accepted in lieu of the same information that is required on the form prescribed and furnished by this board.~~



## B. Completing Applications

1. All applications made to this board must be completed on the forms prescribed and furnished by the board. [Applications for licensure properly executed and issued with verification by NCEES will be accepted in lieu of the same information that is required on the form prescribed and furnished by this board.](#)
2. In order to allow sufficient time for processing and for securing pencil-and-paper examinations, all applications that may require pencil-and-paper examinations must be filed with this board at least *[insert number]* days before the date set for the appropriate pencil-and-paper examinations.
3. Withholding information or providing statements that are untrue or misrepresent the facts may be cause for denial of an application or revocation of license or certification.
4. It is the responsibility of the applicant to supply correct addresses of all references and to be sure that the references are supplied as requested. If a reference fails to respond, this could delay the processing of an application either until a reply is obtained or another reference is given.
5. In relating experience, the applicant must account for all employment or work experience for the period of time that has elapsed since the beginning of the employment record. If not employed or employed in other kinds of work, this should be indicated in the experience record.

## Rationale

These are housekeeping changes to move language not related to applications from 230.60 to the more appropriate section of the *Model Rules*. In moving the language, UPLG also reorganized it to separate the eligibility requirements by discipline so that the requirements would be easier to find for each exam. The language did not change; it was just moved as follows:

- 230.60 A3 and A4 moved to 230.40 B1 and B2
- 230.60 A5 and A7 moved to 230.40 D1 and D2
- 230.60 A7 moved to 230.60 B1

## Board of directors' position

Endorses, consent agenda

## UPLG Motion 10

Move that *Model Rules* 240.40 I be deleted as follows:

### **Model Rules 240.40 Expirations, Renewals, and Reinstatement to Active Practice**

- A. A renewal notice will be sent annually or as required by this jurisdiction by the board *[insert number of days]* prior to the license expiration date to every individual licensed under the licensure act and to every firm holding a certificate of authorization showing the expiration date of their license or certificate and the amount of the fee for renewal.
- B. The annual *[or other amount of time]* renewal fee is established by the board.
- C. Renewal fees must be received by the board prior to the expiration date.
- D. Fees received within 1 month or more after the renewal date will be assessed an additional fee established by the board.
- E. Renewal fees not paid within a period established by the board after the expiration date voids the license or certificate and will require a new application for licensure or certification in order to continue to practice engineering or surveying.
- F. A licensee or firm who supplies the board before the expiration date of his/her/its license/certificate with an affidavit that he/she/it is no longer practicing and will not practice engineering or surveying in this jurisdiction may retain his/her/its license/certificate for later use upon payment of delinquent fees.
- G. The responsibility for the timely renewal of a licensee's license rests solely with the individual licensee. The responsibility for the timely renewal of a firm's certificate rests solely with the firm's managing agent.
- H. The applicant for renewal or reinstatement may be required to demonstrate to the board that he or she has maintained the required minimum level of professional competence in a manner acceptable to the board.
- ~~I. 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 the demonstration of continuing professional competency as a condition of reinstatement.~~
- ~~J. In the event an inactive licensee does not maintain a current license in any jurisdiction for the 3 previous years prior to requesting reinstatement, that individual will be required to take the NCEES Principles and Practice of Engineering (PE) examination or the NCEES Principles and Practice of Surveying (PS) examination and jurisdiction-specific examinations prior to reinstatement.~~

## Rationale

The stricken language duplicates language in *Model Law* 140.20 C so is not needed here.

## Board of directors' position

Endorses, consent agenda

### **UPLG Motion 11**

Move that *Model Rules* 250.40 be deleted as follows:

#### **~~Model Rules 250.40 Reinstatement of Licensure or Certification After Revocation~~**

##### ~~A. Petition for Reinstatement~~

~~Upon petition of a licensee, intern, or firm holding a certificate of authorization, the board may reissue a certificate of licensure, intern certification, or firm authorization provided that a majority of the members of the board votes in favor of such issuance. (Section 150.20, Disciplinary Action Procedures—Licensees and Interns, NCEES Model Law and Section 160.80, Disciplinary Action Procedures—Firms Holding a Certificate of Authorization, NCEES Model Law)~~

##### ~~B. Board Action~~

~~The board, for reason it may deem sufficient, may reissue a certificate of licensure or intern certification to any individual or a certificate of authorization to any firm whose certificate has been revoked. (Section 150.20, Disciplinary Action Procedures—Licensees and Interns, NCEES Model Law and Section 160.80, Disciplinary Action Procedures—Firms Holding a Certificate of Authorization, NCEES Model Law)~~

## Rationale

UPLG recommends eliminating this section because paragraph A is covered in the *Model Law* and is therefore redundant here and because paragraph B is in conflict with the *Model Law*.

## Board of directors' position

Endorses, consent agenda

### **UPLG Motion 12**

Move that the *Model Law* and *Model Rules* be amended as shown below to add language for structural engineers parallel to that of professional engineers and professional surveyors.

## **PREFACE (of both *Model Law* and *Model Rules*)**

### **Purpose of the NCEES *Model Law* and *Model Rules***

The vision of the National Council of Examiners for Engineering and Surveying (NCEES) is to provide leadership in professional licensure of engineers and surveyors through excellence in uniform laws, licensing standards, and professional ethics in order to safeguard the health, safety, and welfare of the public and to shape the future of professional licensure. The mission of NCEES is to advance licensure for engineers and surveyors in order to safeguard the health, safety, and welfare of the public.

NCEES serves as an organization through which its members—the engineering and surveying licensure boards in all U.S. states and territories—can counsel and act together to better discharge their duties as individual, autonomous regulatory agencies. One of the primary ways NCEES fulfills its vision and supports its mission is by providing the *Model Law* and *Model Rules* for adoption by its member boards.

The NCEES *Model Law* sets forth broad ideas about the regulation of engineering and surveying licensure. It is an enabling document that defines the board's powers and duties. It is designed to assist legislative counsels, legislators, and NCEES members in preparing new or amendatory legislation. Each line in the sections is numbered to facilitate use of this document as a working model. [The bracketed, italicized language throughout the document indicates particular areas where language may need to be customized for a jurisdiction.](#)

The *Model Rules* complements the *Model Law* by providing model rules and regulations for the ways member boards can carry out the general concepts introduced and set forth in the law. While it is designed to explain broad provisions stated in the *Model Law* by offering the details from an administrative perspective, the *Model Rules*, just like a board's regulations or rulemaking process, functions only within the authority granted by the *Model Law*. The *Model Rules* is designed to assist NCEES member board members, board counsel, and board administrators in preparing and updating board rules.



Revisions to the *Model Law* and *Model Rules* are decided at the NCEES annual business meeting each year. By vote, the majority of NCEES member boards have agreed that the language in them represents the gold standard for engineering and surveying licensure requirements in the United States. The intent of NCEES in preparing these uniform model documents is to present its member boards with a high-level benchmark—and yet a sound and realistic guide—that will provide greater uniformity of qualifications for licensure, raise these qualifications to a higher level of accomplishment, and simplify the interstate licensure of engineers and surveyors.

### **Model Law**

## **LICENSURE OF ENGINEERS AND SURVEYORS**

### **AN ACT**

To regulate the practice of *[engineering and/or surveying]*; provide for the licensure of qualified individuals as *[professional engineers, structural engineers, and/or professional surveyors]* and for the certification of engineer interns, surveyor interns, and firms; define the terms *["Engineer," "Professional Engineer," "Structural Engineer," "Professional Engineer, Retired," "Structural Engineer, Retired," "Engineer Intern," and "Practice of Engineering"]*; define the terms *["Professional Surveyor," "Professional Surveyor, Retired," "Surveyor Intern," and "Practice of Surveying"]*; create a jurisdiction board of licensure for *[professional engineers, structural engineers, and/or professional surveyors]* and provide for the appointment and compensation of its members; fix the term of members of the board and define its powers and duties; set forth the minimum qualifications and other requirements for licensure as a *[professional engineer, structural engineer, and/or a professional surveyor]* and for certification as an engineer intern, surveyor intern, or firm; establish fees and expiration and renewal requirements; impose certain duties upon this jurisdiction and political subdivisions thereof in connection with public work; and provide for the enforcement of this Act and penalties for its violation.

Be it enacted by the *[insert Legislative body name]* of the Jurisdiction of *[insert state or territory name]* as follows.

### **Model Law 110.20 Definitions**

#### **A. Engineer**

1. Engineer—The term “Engineer,” within the intent of this Act, shall mean an individual who is qualified to practice engineering by reason of engineering education, training, and experience in the application of engineering principles and the interpretation of engineering data.
2. Professional Engineer—The term “Professional Engineer,” as used in this Act, shall mean an individual who has been duly licensed as a professional engineer by the board. The board may designate a professional engineer, on the basis of education, experience, and examination, as being licensed in a specific discipline or branch of engineering signifying the area in which the engineer has demonstrated competence.
3. Structural Engineer—The term “Structural Engineer,” as used in this Act, shall mean an individual who has been duly licensed as a structural engineer by the board. The board may designate a structural engineer, on the basis of education, experience, and examination.
34. Professional Engineer, Retired—The term “Professional Engineer, Retired,” as used in this Act, shall mean an individual who has been duly licensed as a professional engineer by the board, and who chooses to relinquish or not to renew a license, and who applies to and is approved by the board to be granted the use of the title “Professional Engineer, Retired.”
5. Structural Engineer, Retired—The term “Structural Engineer, Retired,” as used in this Act, shall mean an individual who has been duly licensed as a structural engineer by the board, who chooses to relinquish or not to renew a license, and who applies to and is approved by the board to be granted the use of the title “Structural Engineer, Retired.”
46. Engineer Intern—The term “Engineer Intern,” as used in this Act, shall mean an individual who has been duly certified as an engineer intern by the board.
57. Practice of Engineering—The term “Practice of Engineering,” as used in this Act, shall mean any service or creative work requiring engineering education, training, and experience in the application of engineering principles and the interpretation of engineering data to engineering activities that potentially impact the health, safety, and welfare of the public.

The services may include, but not be limited to, providing planning, studies, designs, design coordination, drawings, specifications, and other technical submissions; teaching engineering design courses; performing surveying that is incidental to the practice of engineering; and reviewing

construction or other design products for the purposes of monitoring compliance with drawings and specifications related to engineered works.

Surveying incidental to the practice of engineering excludes the surveying of real property for the establishment of land boundaries, rights of way, easements, and the dependent or independent surveys or resurveys of the public land survey system.

An individual shall be construed to practice engineering, within the meaning and intent of this Act, if he or she does any of the following:

- a. Practices any discipline of the profession of engineering or holds himself or herself out as able and entitled to practice any discipline of engineering
- b. Represents himself or herself to be a professional-licensed engineer by verbal claim, sign, advertisement, letterhead, or card or in any other way
- c. Through the use of some other title, implies that he or she is a professional-licensed engineer ~~or licensed~~ under this Act

~~68.~~ Inactive Status—Licensees who are not engaged in engineering practice that requires licensure in this jurisdiction may be granted inactive status. No licensee granted inactive status may practice or offer to practice engineering in this jurisdiction unless otherwise exempted in this Act. Licensees granted inactive status are exempt from continuing education requirements.

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C. Board—The term “Board,” as used in this Act, shall mean the jurisdiction board of licensure for [professional engineers, structural engineers, and/or professional surveyors], hereinafter provided by this Act.

\*\*\*\*\*

L. Licensee—The term “Licensee,” as used in this Act, shall mean a [professional engineer, structural engineer, or ~~a~~ professional surveyor].

#### **Model Law 120.10 Board Appointments, Terms**

A jurisdiction board of licensure for professional engineers and/or professional surveyors is hereby created whose duty it shall be to administer the provisions of this Act. The board shall consist of [(insert number) professional engineers, (insert number) structural engineers, ~~f~~(insert number)] professional surveyors, and ~~f~~(insert number)] public members] who shall be appointed by the governor. The [professional engineer, structural engineer, and professional surveyor] members shall preferably be appointed from a list of nominees submitted by the respective engineering and/or surveying societies of this jurisdiction and shall have the qualifications required by Section 120.20 of this Act. Each member of the board shall receive a certificate of his or her appointment from the governor and shall file with this jurisdiction a written oath or affirmation for the faithful discharge of his or her official duty. Appointments to the board shall be in such manner and for such period of time that the term of each member shall expire at the end of a different year, insofar as is possible. On the expiration of the term of any member, the governor shall in the manner hereinbefore provided appoint for a term of [insert number] years a [professional engineer, a structural engineer, a professional surveyor, or a public member] having the qualifications required in Section 120.20 of this Act. Members may be reappointed to succeed themselves. Each member shall hold office until the expiration of the term for which appointed or until a successor has been duly appointed and has qualified. In the event of a vacancy on the board due to resignation, death, or for any cause resulting in an unexpired term, if not filled within 3 months by the governor, the board may appoint a provisional member to serve in the interim until the governor acts.

#### **Model Law 120.20 Board Qualifications**

Each professional engineer member of the board shall be a citizen of the United States and a resident of this jurisdiction. He or she shall have been engaged in the lawful practice of engineering as a professional engineer for at least 12 years, shall have been in responsible charge of engineering projects for at least 5 years, and shall be a licensed professional engineer in this jurisdiction.

Each structural engineer member of the board shall be a citizen of the United States and a resident of this jurisdiction. He or she shall have been engaged in the lawful practice of engineering as a structural engineer for at least 12 years, shall have been in responsible charge of structural engineering projects for at least 5 years, and shall be a licensed structural engineer in this jurisdiction.

Each professional surveyor member of the board shall be a citizen of the United States and a resident of this jurisdiction. He or she shall have been engaged in the lawful practice of surveying as a professional surveyor for at least 12 years, shall have been in responsible charge of surveying projects for at least 5 years, and shall be a licensed professional surveyor in this jurisdiction.

Each public member of the board shall be a citizen of the United States and a resident of this jurisdiction and shall not be or have been ~~either a [professional engineer, structural engineer, or professional surveyor]. The majority of the board members shall be professional engineers and/or professional surveyors.~~

#### **Model Law 120.50 Board Organization and Meetings**

The board shall hold at least [insert number] regular meetings each year. Other meetings may be called as prescribed by jurisdictional law. The board shall elect or appoint annually from among its membership the following officers: a chairperson, a vice chairperson, and a secretary. A quorum of the board shall consist of no fewer than [(insert number)] professional engineer members, (insert number) structural engineer members, [(insert number)] professional surveyor members, and [(insert number)] public members].

#### **Model Law 120.70 Receipts and Disbursements**

The board administrator shall receive, disburse, and account for all monies derived under the provisions of this Act. This fund shall be known as the [“Professional Engineers’, Structural Engineers’, and/or Professional Surveyors’ Fund,”] shall be kept in a local bank or deposited with the jurisdiction treasurer, and shall be paid out only upon requisitions submitted by the board administrator. All monies in this fund are hereby specifically appropriated for the use of the board. The board administrator shall give a surety bond to this jurisdiction in such sum as may be required by the laws of this jurisdiction. The premium on said bond shall be regarded as a proper and necessary expense of the board. The board administrator shall receive such salary as the board shall determine. The board shall make expenditures from the abovementioned fund for any purpose which, in the opinion of the board, is reasonably necessary for the proper performance of its duties under this Act, including the expenses of the board’s delegates to meetings of and membership fees to the National Council of Examiners for Engineering and Surveying (NCEES) and any of its subdivisions. Individuals appointed by the board to serve on committees, or who perform other services required by the board, are entitled to reimbursement of expenses as approved by the board. Under no circumstances shall the total amount of warrants issued in payment of the expenses and compensation provided for in this Act exceed the amount of monies collected.

#### **Model Law 120.90 Roster**

A complete roster showing the names, last known addresses, and license or certificate number of all professional engineers, structural engineers, professional surveyors, and firms holding a certificate of authorization shall be published by the board.

#### **Model Law 130.10 General Requirements for Licensure**

Education, experience, and examinations are required for licensure as a professional engineer, structural engineer, or professional surveyor.

##### **A. Eligibility for Licensure**

To be eligible for licensure as a professional engineer, structural engineer, or professional surveyor, an individual must meet all of the following requirements:

1. Be of good character and reputation
2. Satisfy the education criteria set forth below
3. Satisfy the experience criteria set forth below
4. Pass the applicable examinations set forth below
5. Submit five references acceptable to the board

##### **B. Engineering**

###### **1. Certification or Enrollment as an Engineer Intern**

The following shall be considered as minimum evidence that the applicant is qualified for certification as an engineer intern.

- a. Graduating from an engineering program of 4 years or more accredited by the Engineering Accreditation Commission of ABET (EAC/ABET), or the equivalent, or an engineering master’s program accredited by EAC/ABET
- b. Passing the NCEES Fundamentals of Engineering (FE) examination

###### **2. Licensure as a Professional Engineer**

###### **a. Initial Licensure as a Professional Engineer**

An applicant who presents evidence of meeting the applicable education, examination, and experience requirements as described below shall be eligible for licensure as a professional engineer.

###### **(1) Education Requirements**

An individual seeking licensure as a professional engineer shall possess one or more of the following education qualifications:

- (a) A bachelor's degree in engineering from an EAC/ABET-accredited program
- (b) A master's degree in engineering from an institution that offers EAC/ABET-accredited programs
- (c) A master's degree in engineering from an EAC/M-ABET-accredited program
- (d) An earned doctoral degree in engineering acceptable to the board
- (2) Examination Requirements
 

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

  - (a) The FE examination may be taken by a college senior or graduate of an engineering program of 4 years or more accredited by EAC/ABET, or an engineering master's program accredited by EAC/ABET.
  - (b) The PE examination may be taken by an engineer intern.
- (3) Experience Requirements
 

An individual seeking licensure as a professional engineer shall present evidence of a specific record of progressive engineering experience satisfying one of the following described below. This experience should be of a grade and character that indicate to the board that the applicant may be competent to practice engineering.

  - (a) An individual with a bachelor's degree in engineering per (1)(a) above: 4 years of experience after the bachelor's degree is conferred
  - (b) An individual with a master's degree in engineering per (1)(b) or (1)(c) above: 3 years of experience
  - (c) An individual with an earned doctoral degree in engineering acceptable to the board and who has passed the FE exam: 2 years of experience
  - (d) An individual with an earned doctoral degree in engineering acceptable to the board and who has elected not to take the FE exam: 4 years of experience
- b. Licensure by Comity for a Professional Engineer
 

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

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

### 3. Licensure as a Structural Engineer

#### a. Initial Licensure as a Structural Engineer

An applicant who presents evidence of meeting the applicable education, examination, and experience requirements as described below shall be eligible for licensure as a structural engineer.

##### (1) Education Requirements

(a) An individual seeking licensure as a structural engineer shall possess one or more of the following education qualifications:

i. A bachelor's degree in engineering from an EAC/ABET-accredited program

ii. A master's degree in engineering from an institution that offers EAC/ABET-accredited programs

iii. A master's degree in engineering from an EAC/M-ABET-accredited program

iv. An earned doctoral degree in engineering acceptable to the board

(b) Passes a minimum of 18 semester (27 quarter) hours of structural analysis and design courses. At least 9 of the semester (14 quarter) hours must be structural design courses.

##### (2) Examination Requirements

An individual seeking licensure as a structural engineer shall take and pass the NCEES Fundamentals of Engineering (FE) examination and the NCEES Structural Engineering (SE) examination as described below.

- (a) The FE examination may be taken by a college senior or graduate of an engineering program of 4 years or more accredited by EAC/ABET, or the equivalent, or an engineering master's program accredited by EAC/ABET.
- (b) The SE examination may be taken by an engineer intern who meets the education requirements in 3a(1) above.
- (c) The SE examination shall meet one of the following requirements:
  - i. 16 hours of NCEES structural examinations, 8 hours of which were from the SE II taken prior to January 1, 2011
  - ii. 16-hour state-written structural examinations taken prior to 2004
  - iii. NCEES SE II plus 8-hour state-written structural examinations taken prior to January 1, 2011
  - iv. NCEES 16-hour Structural Engineering (SE) examination taken after January 1, 2011
- (3) Experience Requirements  
An individual seeking licensure as a structural engineer shall present evidence of a specific record of progressive structural engineering experience satisfying one of the following described below. This experience should be of a grade and character that indicate to the board that the applicant may be competent to practice structural engineering.
  - (a) An individual with a bachelor's degree in engineering per a(1) above: 4 years of experience after the bachelor's degree is conferred
  - (b) An individual with a master's degree in structural engineering per a(2) or a(3) above: 3 years of experience
  - (c) An individual with an earned doctoral degree in structural engineering acceptable to the board and has passed the FE exam: 2 years of experience
  - (d) An individual with an earned doctoral degree in structural engineering acceptable to the board and who has elected not to take the FE exam: 4 years of experience
- b. Licensure by Comity for a Structural Engineer  
The following shall be considered as minimum evidence satisfactory to the board that the applicant is qualified for licensure by comity as a structural engineer:
  - (1) An individual holding a certificate of licensure to engage in the practice of structural engineering issued by a proper authority of any jurisdiction or any foreign country, based on requirements that do not conflict with the provisions of this Act and possessing credentials that are, in the judgment of the board, of a standard that provides proof of minimal competency and is comparable to the applicable licensure act in effect in this jurisdiction at the time such certificate was issued may, upon application, be licensed without further examination except as required to examine the applicant's knowledge of statutes, rules, and other requirements unique to this jurisdiction; or
  - (2) An individual holding an active Council Record with NCEES, whose qualifications as evidenced by the Council Record meet the requirements of this Act, may, upon application, be licensed without further examination except as required to examine the applicant's knowledge of statutes, rules, and other requirements unique to this jurisdiction.

**Model Law 130.20 Application and Fees**

- A. Application for licensure as a *[professional engineer, structural engineer, and/or professional surveyor]* or certification as an engineer intern or surveyor intern shall be on a form prescribed and furnished by the board; shall contain a declaration made under penalty of perjury, showing the applicant's education and a detailed summary of technical and engineering experience or surveying experience; and shall include the names and complete mailing addresses of the references, none of whom should be members of the board. The board may accept the verified information contained in a valid Council Record issued by NCEES for applicants in lieu of the same information that is required on the form prescribed and furnished by the board.
- B. The application fee shall be established by regulation of the board for licensure as a *[professional engineer, structural engineer, or professional surveyor]* or for certification as an engineer intern or surveyor intern, and shall accompany the application.
- C. Should the board deny the issuance of a certificate of licensure or intern certification to any applicant, the fee paid shall be retained as an application fee.

**Model Law 140.10 Certificates of Licensure, Seals**

- A. The board shall issue to any applicant for licensure as a *[professional engineer, structural engineer, or professional surveyor]* who, in the opinion of the board, has met the requirements of this Act, a certificate of



licensure giving the licensee proper authority to practice his or her profession in this jurisdiction. The certificate of licensure for a professional engineer shall carry the designation “Professional Engineer”; for a structural engineer, “Structural Engineer”; and for a professional surveyor, “Professional Surveyor.” It shall give the full name of the licensee with licensure number and shall be signed by the appropriate authority under the seal of the board.

- B. The certificate of licensure shall be prima facie evidence that the individual named thereon is entitled to all rights and privileges and is bound by all responsibilities of a professional engineer, structural engineer, or a professional surveyor while the said certificate of licensure remains active and unrestricted.
- C. Each licensee hereunder must, upon licensure, obtain a seal as described in Section 110.20 K of this Act. Documents must be sealed, signed, and dated in accordance with the Rules.
- D. The board shall issue to any applicant for certification as an engineer intern or surveyor intern who, in the opinion of the board, has met the requirements of this Act, an enrollment document as engineer intern or surveyor intern, which indicates that his or her name has been recorded as such in the board office. The engineer intern or surveyor intern enrollment document does not authorize the holder to practice as a [professional engineer, structural engineer, or a professional surveyor].

#### **Model Law 150.30 Grounds for Disciplinary Action—Unlicensed Individuals**

- A. In addition to any other provisions of law, the board shall have the power to fine and recover costs from any unlicensed individual who is found guilty of:
  - 1. Engaging in the practice or offer to practice of engineering or surveying in this jurisdiction without being licensed in accordance with the provisions of this Act
  - 2. Using or employing the words “engineer,” “engineering,” “surveyor,” “surveying,” or any modification or derivative thereof in his or her name or form of business activity except as licensed in this Act
  - 3. Presenting or attempting to use the certificate of licensure or seal of a [professional engineer, structural engineer, or professional surveyor]
  - 4. Engaging in any fraud or deceit in obtaining or attempting to obtain a certificate of licensure or intern certification
  - 5. Impersonating any [professional engineer, structural engineer, or professional surveyor]
  - 6. Using or attempting to use an expired, suspended, revoked, inactive, retired, or nonexistent certificate of licensure

#### **Model Law 160.20 Managing Agent and Resident Professional**

A firm shall designate a managing agent and a resident professional. The managing agent and the resident professional may or may not be the same individual.

- A. **Managing Agent**—The following criteria shall apply to the firm’s designation of a managing agent: A firm shall designate a [professional engineer, structural engineer, or a professional surveyor] to be a managing agent for the firm. The managing agent is responsible for the engineering or surveying work in this jurisdiction and/or for projects within this jurisdiction offered or provided by the firm. A licensee may not be designated as a managing agent for more than one firm. A licensee who renders occasional, part-time, or consulting engineering or surveying services to, or for, a firm may not be designated as a managing agent, unless the licensee is an officer or owner of the firm. The managing agent’s responsibilities include:
  - 1. Renewal of the firm’s certificate of authorization and notification to the board of any change in managing agent;
  - 2. Overall administrative supervision of the firm’s licensed and subordinate personnel providing the engineering or surveying work in this jurisdiction; and
  - 3. Institution and adherence of policies of the firm that are in accordance with the Rules of Professional Conduct.
- B. **Resident Professional**—The following criteria shall apply to the firm’s designation of a resident professional: A firm shall also designate a resident [professional engineer, structural engineer, or a resident professional surveyor]; ~~as applicable~~, to be in responsible charge of the practice of [engineering or practice of surveying]; ~~as applicable~~, in each branch office in which [engineering or surveying] services are offered or provided. A resident [professional engineer, structural engineer, or resident professional surveyor] shall meet the following criteria:
  - 1. Spend a majority of normal business hours at a particular branch office;
  - 2. Be a resident [professional engineer, structural engineer, or a resident professional surveyor] at only one particular branch office at one time; and
  - 3. Be duly licensed as a [professional engineer, structural engineer, or a professional surveyor] by the licensing board of the jurisdiction in which the branch office is located.

**Model Law 160.70 Grounds for Disciplinary Action—Firms Holding a Certificate of Authorization**

- A. The board shall have the power to suspend, revoke, place on probation, fine, recover costs, and/or reprimand, or to refuse to issue, restore, or renew a certificate of authorization to any firm holding a certificate of authorization that is found guilty of:
5. Discipline (including voluntary surrender of ~~a professional engineer's or professional surveyor's an engineering or surveying~~ license in order to avoid disciplinary action) by another jurisdiction, foreign country, or the United States government, if at least one of the grounds for discipline is the same or substantially equivalent to those contained in this Act

**Model Rules 210.30 Clarifications to Offering to Practice Engineering and Surveying**

The following items are not considered offering to practice engineering or surveying, provided that the engineer or surveyor is licensed in another jurisdiction:

- A. Advertising in publications or electronic media, provided there is no holding out of professional services in jurisdictions where not licensed
- B. Responding to letters of inquiry regarding requests for proposals, provided there is written disclosure that the engineer/surveyor and firm are not licensed in this jurisdiction and the response is limited to inquiries regarding scope of project and to demonstrate interest
- C. Responding to letters of inquiry from prospective clients, provided there is written disclosure that the engineer/surveyor and firm are not licensed in this jurisdiction and the response is limited to inquiries regarding scope of project and to demonstrate interest
- D. Using the title/designation licensed engineer, professional engineer, ~~licensed engineer~~, P.E., structural engineer, S.E., professional surveyor, licensed surveyor, P.S., or the like in correspondence or on business cards from an office in the jurisdiction where licensure is held.

Regardless of the above, proposals may not be submitted, contracts signed, or work commenced until the engineer/surveyor and firm become licensed or authorized in the jurisdiction.

**Model Rules 220.30 Fees**

- A. Application Fees
  1.  $[\textit{insert amount}]$ —For  $[\textit{professional engineer, structural engineer, and/or professional surveyor}]$  licensure, as provided in the NCEES *Model Law*, Section 130.20 B
  2.  $[\textit{insert amount}]$ —For  $[\textit{engineer intern and-or surveyor intern}]$  certification, as provided in the NCEES *Model Law*, Section 130.20 B

**Model Rules 230.20 Experience**

- A. As a Professional Engineer

In evaluating experience that indicates to the board that the applicant may be competent to practice engineering, the following will be considered:

1. Experience must be progressive on engineering projects to indicate that it is of increasing quality and requiring greater responsibility.
2. Only work of an engineering nature that follows graduation from a program accredited by the Engineering Accreditation Commission of ABET (EAC/ABET) or a program deemed to be substantially equivalent is creditable.
3. Experience must not be obtained in violation of the licensure act.
4. Experience gained in the armed services, to be creditable, must be of a character equivalent to that which would have been gained in the civilian sector doing similar work. Normally, it would be expected that the applicant served in an engineering or engineering-related group while in the armed services.
5. Experience should be gained under the supervision of a licensed professional engineer; if it is not, an explanation should be made showing why the experience should be considered acceptable. Experience gained under the technical supervision of an unlicensed individual may be considered if the appropriate credentials of the unlicensed supervisor are submitted to the board.
6. For sales experience to be creditable, it must be demonstrated that engineering principles were required and used in gaining the experience.
7. Teaching experience, to be creditable, must be in engineering or engineering-related courses at an advanced level in a college or university offering an engineering program of 4 years or more that is approved by the board.
8. Experience gained in engineering research and design projects by members of an engineering faculty where the program is approved by the board is creditable.
9. Successful completion of graduate study leading to the master's degree in engineering from an institution that offers EAC/ABET-accredited programs may be used for credit for 1 year's experience. If

the earned doctoral degree in engineering is completed under the same conditions, 2 years' total experience may be credited. The 2 years' credit includes the 1 year for the master's degree. If the earned doctoral degree is obtained without the master's degree, the credit for experience may be 2 years.

10. Experience may not be anticipated. The experience must have been gained by the time of the application.
11. Experience in construction, to be creditable, must demonstrate the application of engineering principles.
12. Experience should include demonstration of a knowledge of engineering mathematics, physical and applied science, properties of materials, and the fundamental principles of engineering design.
13. Experience should include demonstration of the application of engineering principles in the practical solution of engineering problems.
14. The board may deem professional experience acquired by applicants outside the United States to be equivalent to the minimum board requirements established by regulations for professional experience in that jurisdiction.

#### B. As a Structural Engineer

In evaluating experience that indicates to the board that the applicant may be competent to practice as a structural engineer, the following will be considered:

1. Experience must be progressive on structural engineering projects to indicate that it is of increasing quality and requiring greater responsibility.
2. Only work of a structural engineering nature that follows graduation from a program accredited by the Engineering Accreditation Commission of ABET (EAC/ABET) or a program deemed to be substantially equivalent is creditable.
3. Experience must not be obtained in violation of the licensure act.
4. Experience gained in the armed services, to be creditable, must be of a character equivalent to that which would have been gained in the civilian sector doing similar work. Normally, it would be expected that the applicant served in an engineering or engineering-related group while in the armed services.
5. Experience should be gained under the supervision of a licensed engineer; if it is not, an explanation should be made showing why the experience should be considered acceptable. Experience gained under the technical supervision of an unlicensed individual may be considered if the appropriate credentials of the unlicensed supervisor are submitted to the board.
6. For sales experience to be creditable, it must be demonstrated that structural engineering principles were required and used in gaining the experience.
7. Teaching experience, to be creditable, must be in structural engineering or structural engineering-related courses at an advanced level in a college or university offering an engineering program of 4 years or more that is approved by the board.
8. Experience gained in structural engineering research and design projects by members of an engineering faculty where the program is approved by the board is creditable.
9. Successful completion of graduate study leading to the master's degree in engineering from an institution that offers EAC/ABET-accredited programs may be used for credit for 1 year's experience. If the earned doctoral degree in engineering is completed under the same conditions, 2 years' total experience may be credited. The 2 years' credit includes the 1 year for the master's degree. If the earned doctoral degree is obtained without the master's degree, the credit for experience may be 2 years.
10. Experience may not be anticipated. The experience must have been gained by the time of the application.
11. Experience in construction, to be creditable, must demonstrate the application of structural analysis and design principles.
12. Experience should include demonstration of a knowledge of engineering mathematics, physical and applied science, properties of materials, and the fundamental principles of structural analysis and design.
13. Experience should include demonstration of the application of structural engineering principles in the practical solution of structural engineering problems.
14. The board may deem structural engineering experience acquired by applicants outside the United States to be equivalent to the minimum board requirements established by regulations for structural engineering experience in that jurisdiction.

#### **Model Rules 230.30 References**

References are those individuals who should have personal knowledge of an applicant and who are able to issue judgments concerning an applicant's experience, ability, character, or reputation.

- A. For licensure as a *[professional engineer, structural engineer, or professional surveyor]*, an applicant must submit 5 references, 3 of whom shall be professional-licensed engineers, professional-licensed surveyors, or



other individuals deemed acceptable to the board, who have personal knowledge of the applicant's engineering or surveying experience. In addition, for each employment period, individuals familiar with the applicant's experience for that period must be identified. Engineering applicants must have [professional licensed](#) engineer references, and surveying applicants must have [professional licensed](#) surveyor references.  
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### **Model Rules 230.40 Examinations**

#### **A. Classification of Engineering Examinations**

This jurisdiction or its designee will provide the following examinations, prepared and furnished by NCEES, meeting the requirements of this jurisdiction for licensure [as a professional engineer](#):

1. NCEES Fundamentals of Engineering (FE) examination—The examination consists of subject matters in the fundamentals of engineering. Passing this examination qualifies the examinee for certification as an engineer intern, provided the examinee has met all other requirements for certification required by this Act.
2. NCEES Principles and Practice of Engineering (PE) examination—The examination consists of subject matters in applied engineering. Passing this examination qualifies the examinee for licensure as a professional engineer, provided the examinee has met the other requirements for licensure required by this Act.
3. NCEES Structural Engineering (SE) examination—The examination shall be considered and referred to as one 16-hour examination. [Passing this examination qualifies the examinee for licensure as a structural engineer, provided the examinee has met the other requirements for licensure required by these Rules.](#) The SE examination consists 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 SE examination. A candidate may sit for each component in separate exam administrations but must receive acceptable results on both components within a 5-year period. Receiving acceptable results on only one 8-hour component shall not be sufficient for licensure purposes.

### **Model Rules 230.40 Examinations**

#### **B. Eligibility of Applicant for Engineering Examinations**

1. NCEES Fundamentals of Engineering (FE) Examination
  - a. Those who are college seniors in at least a 4-year program leading to a bachelor's degree in an engineering program may register with NCEES directly to take the FE examination or, if required, apply to the board for admission to the FE examination.
  - b. To be certified as an engineer intern, an application for certification may be submitted to the board upon passing the FE examination and meeting the education requirements.
2. NCEES Principles and Practice of Engineering (PE) Examination
  - a. Applicants for licensure as a professional engineer will be permitted to sit for the PE examination upon satisfactorily fulfilling all application requirements of the jurisdiction.
  - b. No applicant may sit for the PE examination until the board has established that the applicant is eligible for the examination.
  - c. Engineering doctorate degree applicants with an undergraduate degree from a program accredited by the Engineering Accreditation Commission of ABET (EAC/ABET) and with a doctorate degree in engineering from an institution that offers EAC/ABET-accredited undergraduate programs in the doctorate degree field of engineering and with experience that meets the qualifications defined by the board may sit for the PE examination without having taken or passed the FE examination.
3. [NCEES Structural Engineering \(SE\) Examination](#)
  - a. [Applicants for licensure as a structural engineer will be permitted to sit for the SE examination upon satisfactorily fulfilling all application requirements of the jurisdiction.](#)
  - b. [No applicant may sit for the SE examination until the board has established that the applicant is eligible for the examination.](#)

#### **C. Classification of Surveying Examinations**

This jurisdiction will provide the following examinations, prepared and furnished by NCEES, meeting the requirements of this jurisdiction for licensure [as a professional surveyor](#):

1. NCEES Fundamentals of Surveying (FS) examination—The examination consists of subject matters in the fundamentals of surveying. Passing this examination qualifies the examinee for certification as a surveyor intern, provided the examinee has met all other requirements for certification required by this Act.
2. NCEES Principles and Practice of Surveying (PS) examination—The examination consists of subject

matters in applied surveying, divided in separate parts as determined by the board. Passing these parts qualifies the examinee for licensure as a professional surveyor, provided the examinee has met the other requirements for licensure required by this Act.

Jurisdictions have the right to administer separate modules on jurisdiction laws and procedures for the practice of surveying.

D. Eligibility of Applicant for Surveying Examinations

1. NCEES Fundamentals of Surveying (FS) Examination
  - a. Those who are college seniors in at least a 4-year program leading to a bachelor's degree in a surveying program may register with NCEES directly to take the FS examination or, if required, apply to the board for admission to the FS examination.
  - b. To be certified as a surveyor intern, an application for certification may be submitted to the board upon passing the FS examination and meeting the education and experience requirement.
2. NCEES Principles and Practice of Surveying (PS) Examination
  - a. An applicant for licensure as a professional surveyor will not be permitted to sit for the PS examination until the FS examination has been passed.
  - b. No applicant may sit for the PS examination until the board has established that the applicant is eligible for the examination.

\*\*\*\*\*

M. Examination for Record Purposes

1. Any [professional engineer/structural engineer] licensed by this board may take for Record purposes the FE examination and/or [a PE/the SE] examination ~~in a chosen discipline~~ offered by NCEES upon payment of [insert fee set by board regulation and/or NCEES].

**Model Rules 230.50 Classifications and Disciplines of Engineers and Surveyors**

A. Classification of Engineers

Engineering applicants shall be licensed or certified under one of the classifications as prescribed by the laws of this jurisdiction:

1. Engineer intern—by education and examination
2. Professional engineer—by education, examination, and experience, or by comity
3. Structural engineer—by education, examination, and experience, or by comity
34. Discipline professional engineer—by verification of discipline competence

**Model Rules 230.60 Applications**

A. Types of Applications

Licensure as a [professional engineer, structural engineer, or professional surveyor] or certification as [an engineer intern or a surveyor intern] requires that an applicant present his or her qualifications on forms prescribed by this board.

1. Applications for licensure as a [professional engineer, structural engineer, or professional surveyor] are accepted from those who believe that they are qualified by education and experience, according to laws of this jurisdiction, to be licensed as a [professional engineer, structural engineer, or professional surveyor].
2. Applications for certification as [an engineer intern or a surveyor intern] are accepted from those who believe that they have the necessary qualifications for licensure according to the laws of this jurisdiction, as a [professional engineer, structural engineer, or a professional surveyor] except for that of education and experience.

\*\*\*\*\*

F. Licensure by Comity

1. The board is authorized to review and evaluate the applications of all comity applicants to determine if they meet or exceed the criteria to be licensed as a [professional engineer, professional structural engineer, or professional surveyor] as defined in Section 130.10 of the *Model Law*.

**Model Rules 240.10 Licensure**

A. License Number as a [Professional Engineer, Structural Engineer, or Professional Surveyor]

Each licensee is assigned a license number at the time licensure is granted by the board. Numbers are issued consecutively in the order in which applicants are granted licensure. The licensee will be advised of the number by the board. (*Section 140.10, Certificates of Licensure, Seals, NCEES Model Law*)

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C. Retirement of Licensure Option

When a [professional engineer, structural engineer, or professional surveyor] in good standing desires to

retire his or her license, he or she may do so upon application to the board. Upon meeting the requirements established by the board, a permanent identification card may be issued and the retired licensee shall receive all rights and benefits as established by the board. Upon retirement of said license, the retiree shall not practice the profession. (Section 110.20 A.3 and B.2, Definitions, NCEES Model Law)

**Model Rules 240.20 Seals**

A. Seal of the Board

The seal of this board is [describe seal] and shall be affixed to each certificate of licensure, certificate of authorization, and enrollment document. (Section 120.60 A, Board Powers, NCEES Model Law)

B. Seal of Licensee

When an applicant is granted licensure, he or she must obtain a seal. It may be a rubber stamp. It shall contain the following:

1. Jurisdiction of licensure
2. Licensee’s name
3. License number
4. The words “Professional Engineer” and discipline [if licensed by], “[Structural Engineer.](#)” or “Professional Surveyor” (In part from Section 140.10 C, Certificates of Licensure, Seals, NCEES Model Law)

C. Seal on Documents

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8. Computer-generated seals not signed with a digital signature may be used on final original drawings provided that a handwritten signature is placed adjacent to or across the seal and the date is written below the seal. Drawings, specifications, plans, reports, and documents that do not require sealing may be transmitted electronically but shall have the generated seal, if any, removed before transmitting and shall have the following inserted in lieu of the signature and date: “This document originally issued and sealed by [insert name of licensee], [P.E.# \_\_\_\_\_ / [S.E.# \\_\\_\\_\\_\\_](#) / P.S.# \_\_\_\_\_] on [insert date of sealing]. This document should not be considered a sealed document.”

**Model Rules 240.30 Continuing Professional Competency**

The purpose of the continuing professional competency requirement is to demonstrate a continuing level of competency of [[professional engineers](#), [structural engineers](#), and/or [professional surveyors](#)].

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C. Requirements

Every licensee is required to obtain the equivalent of 15 PDHs per annual renewal period, 30 PDHs per biennial renewal period, or 45 PDHs per triennial renewal period. These PDHs may be obtained anytime during the applicable renewal period. A minimum of 1 PDH of each 15 PDHs shall be earned by successfully completing a course or activity that has content areas that focus on (a) [professional](#) engineering or surveying ethics, or (b) improving a licensee’s methods of business practice or operations or otherwise advancing professionally related skills and practices as applicable to the practice of engineering or surveying. If a licensee exceeds the annual requirement in any renewal period, a maximum of 15 PDHs may be carried forward into the subsequent renewal period. PDHs may be earned as follows:

\*\*\*\*\*

G. Exemptions

A licensee may be exempt from the continuing professional competency requirements for one of the following reasons:

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4. Licensees who list their occupation as “Retired” or “Inactive” on the board-approved renewal form and who further certify that they are no longer receiving any remuneration from providing professional engineering or surveying services shall be exempt from the PDHs required. In the event such an individual elects to return to active practice of [[professional engineering](#), [structural engineering](#), or [professional surveying](#)], PDHs must be earned before returning to active practice for each year exempted, not to exceed the annual requirement for 2 years.

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**Model Rules 240.40 Expirations, Renewals, and Reinstatement to Active Practice**

- J. In the event an inactive licensee does not maintain a current license in any jurisdiction for the 3 previous years prior to requesting reinstatement, that individual will be required to take the NCEES [[Principles and](#)

Practice of Engineering (PE) examination, [Structural Engineering examination](#), or the NCEES Principles and Practice of Surveying (PS) examination] and jurisdiction-specific examinations prior to reinstatement.  
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### **Rationale**

The 2014–15 UPLG Committee was charged with performing a comprehensive review of the *Model Law* and *Model Rules* and proposing revisions to reconcile conflicts and inconsistencies between the two documents. When it was doing the review, the committee noted that the language for structural engineers is not parallel to that of professional engineers. The *Model Rules* lists structural engineering separately in 210.20 Definitions and in 230.40 Examinations, but the *Model Law* does not. It noted that a committee may need to be charged with addressing *Model Law* 130.10 section in the future with regard to structural engineers. This year’s committee was charged with doing that.

In discussing this charge, the committee agreed that adding parallel language only in *Model Law* 130.10 would not be consistent within the *Model Law* or with the *Model Rules*. Because the committee was charged with developing parallel language for structural engineers, UPLG is amending the language to make that language parallel throughout both documents. The language in italics and brackets is to make it clear that boards would add the language appropriate for the type of licensure they oversee.

### **Additional notes**

UPLG is recommending that 130.10 be reorganize to make the language flow more clearly and logically (as shown in this report’s appendix). The proposed Structural Engineering language in 130.10 in the motion above is added using that new organization. As part of UPLG Motion 9, *Model Rules* 230.40 is being reorganized to separate the exams by discipline. The proposed Structural Engineering language in 230.40 in the motion above is added using that new organization.

### **Model Rules 230.40 Examinations**

3. NCEES Structural Engineering (SE) Examination
  - a. Applicants for licensure as a structural engineer will be permitted to sit for the SE examination upon satisfactorily fulfilling all application requirements of the jurisdiction.
  - b. No applicant may sit for the SE examination until the board has established that the applicant is eligible for the examination.
  - c. Engineering doctorate degree applicants with an undergraduate degree from a program accredited by the Engineering Accreditation Commission of ABET (EAC/ABET) and with a doctorate degree in engineering, with structural engineering emphasis, from an institution that offers EAC/ABET-accredited undergraduate programs in the doctorate degree field of engineering and with experience that meets the qualifications defined by the board may sit for the SE examination without having taken or passed the FE examination.

### **Board of directors’ position**

Endorses, non-consent agenda

## Technology Task Force

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### Technology Task Force Motion 1

Move that the UPLG Committee be charged with incorporating the following changes into *Model Rules* 240.20 B.

#### **Model Rules 240.20 Seals**

##### B. Seal of Licensee

When an applicant is granted licensure, he or she ~~must~~ may obtain a seal. It may be a rubber stamp. It shall contain the following:

1. Jurisdiction of licensure
2. Licensee's name
3. License number
4. The words "Professional Engineer" and discipline [*if licensed by*] or "Professional Surveyor" (*In part from Section 140.10 C, Certificates of Licensure, Seals, NCEES Model Law*)

#### **Rationale**

The proposed language will provide for flexibility by allowing the option of obtaining a seal upon licensure by changing the language from "must" to "may." This is essentially a change in guidelines for uniformity for member boards related to signing and sealing engineering and surveying documents as defined in the *Model Rules*.

#### **Board of directors' position**

Endorses, consent agenda

### Technology Task Force Motion 2

Move that the UPLG Committee be charged with incorporating the following changes into *Model Rules* 240.20 C.

#### **Model Rules 240.20 Seals**

##### C. Seal on Documents

1. The seal and signature of the licensee and the date of signing shall be placed on all final engineering specifications, reports, drawings, plans, design information, and calculations or surveys, reports, plats, drawings, plans, and calculations whenever presented to a client or any public agency to certify that the work thereon was done by the licensee or under the responsible charge of the licensee. Working drawings or preliminary documents are not required to have a seal and signature if the working drawing or preliminary document contains a statement in large bold letters to the effect "PRELIMINARY, NOT FOR CONSTRUCTION, RECORDING PURPOSES, OR IMPLEMENTATION."
2. The seal and signature shall be placed on all original copy, tracings, or other reproducible documents so that the seal and signature will be reproduced when copies are made.
3. When the document contains more than one sheet, the first or title page shall be sealed and signed by the licensee who was in responsible charge. Two or more licensees may affix their signatures and seals provided that a note under the seal designates the specific subject matter for which each is responsible. In addition, each sheet shall be sealed and signed by the licensee or licensees responsible for that sheet. When a firm performs the work, each sheet shall be sealed and signed by the licensee or licensees who were in responsible charge of that sheet.
4. The seal and signature shall be placed on work only when it was under the licensee's responsible charge. The licensee shall sign and seal only work within the licensee's areas of competence.
5. Plans, plats, specifications, drawings, reports, and other documents will be deemed to have been prepared under the responsible charge of a licensee only when all the following conditions have been met and documented:
  - a. The client requesting preparation of such plans, plats, specifications, drawings, reports, or other documents makes the request directly to the licensee, or a member or employee of the licensee's firm;
  - b. The licensee supervises the preparation of the plans, plats, specifications, drawings, reports, or other documents and has input into their preparation prior to their completion;

- c. The licensee reviews the final plans, plats, specifications, drawings, reports, or other documents; and
  - d. The licensee has the authority to, and does, make any necessary and appropriate changes to the final plans, plats, specifications, drawings, reports, or other documents.
- The licensee is responsible for meeting all of the preceding requirements whether the work is being performed remotely or locally.
6. Any revision to a document containing the seal and signature of a licensee shall be described and dated. If the revisions are not done by the original licensee, the revisions must also be signed and sealed by the licensee in responsible charge of those revisions.
  7. In circumstances where a licensee in responsible charge of the work is unavailable to complete the work, or the work is a site adaptation of a standard design plan, or the work is a design plan signed and sealed by an out-of-jurisdiction licensee, a successor licensee may take responsible charge by performing all professional services to include developing a complete design file with work or design criteria, calculations, code research, and any necessary and appropriate changes to the work. The non-professional services, such as drafting, need not be redone by the successor licensee but must clearly and accurately reflect the successor licensee's work. The burden is on the successor licensee to show such compliance. The successor licensee shall have control of and responsibility for the work product and the signed and sealed originals of all documents.
  8. ~~Computer-generated seals not signed with a digital signature may be used on final original drawings provided that a handwritten signature is placed adjacent to or across the seal and the date is written below the seal.~~

~~Drawings, specifications, plans, reports, and documents that do not require sealing may be transmitted electronically but shall have the generated seal, if any, removed before transmitting and shall have the following inserted in lieu of the signature and date: "This document originally issued and sealed by [insert name of licensee], P.E.# \_\_\_\_\_ / P.S.# \_\_\_\_\_ on [insert date of sealing]. This document should not be considered a sealed document."~~

A licensee may seal and sign engineering/surveying documents by one of the following methods:

- a. A physical placement of a seal and a handwritten signature in permanent ink containing the name of person who applied it; or
- b. An electronic or digital placement of a seal and a handwritten, electronic, or digital signature containing the name of person who applied it;

Drawings, reports, and documents that are signed using a digital signature must have an electronic authentication process attached to or logically associated with the electronic document.

The digital signature must be

- a. Unique to the individual using it
- b. Capable of verification
- c. Under the sole control of the individual using it
- d. Linked to a document in such a manner that the digital signature is invalidated if any data in the document is changed.

A digital signature that uses a process approved by the board will be presumed to meet the criteria set forth in subsections 8 a–d above. Any hard copy printed from the transmitted electronic file shall bear the facsimile of the signature and seal and be a confirmation that the electronic file was not altered after the initial digital signing of the file. Any alterations to the file shall cause the facsimile of the signature to be voided.

### **Rationale**

The proposed language will provide clarity for member boards regarding both physical (ink) and electronic methods of signing and sealing professional engineering and surveying documents as defined in the *Model Rules*.

### **Board of directors' position**

Endorses, consent agenda



### **Technology Task Force Motion 3**

Move that the UPLG Committee be charged with incorporating the following changes into *Model Law* 140.10 C.

#### **Model Law 140.10 Certificates of Licensure, Seals**

- C. Each licensee hereunder ~~must~~ may, upon licensure, obtain a seal as described in Section 110.20 K of this Act. Documents must be sealed, signed, and dated in accordance with the Rules.

#### **Rationale**

As described in Motion 1, the proposed language will provide for flexibility by allowing the option of obtaining a seal upon licensure by changing the language from “must” to “may.” This is essentially a change in guidelines for uniformity for member boards related to signing and sealing engineering and surveying documents as defined in the Model Law.

#### **Board of directors’ position**

Endorses, consent agenda

### **Technology Task Force Motion 4**

Move that Position Statement XX be adopted as follows:

#### **PS XX Remote Sensing Technologies**

In the interest of safeguarding the public health, safety, and welfare, the use of remote sensing technology (both aerial and ground based) to perform professional services defined in NCEES *Model Law* 110.20 A5, Practice of Engineering, and 110.20 B4, Practice of Surveying, shall be under the responsible charge of an appropriately licensed professional.

#### **Rationale**

This position statement clarifies the responsibilities related to safeguarding the public health, safety, and welfare by licensed professionals regarding the use of remote sensing and other emerging technologies in execution of their duties as licensed engineers and surveyors.

#### **Board of directors’ position**

Endorses, consent agenda

## Financial Reserves Task Force

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### Financial Reserves Task Force Motion 1

Move that a Special Committee on Bylaws be charged with creating a standing Reinvestment Committee as described below:

- A standing committee comprised of five members—a chair and one member from each zone, appointed by the president-elect. The NCEES chief financial officer would serve as staff liaison and the treasurer as board of directors liaison.
- Each committee member will have a three-year term and be eligible to serve three terms.
- Five percent of total invested reserves would be made available to the committee each year. The 5 percent of total invested reserves would be a line item in the approved operating budget and would be available for funding discretionary expenditures that benefits and supports NCEES.
- The percentage amount, 5 percent, is arbitrary and could be changed at the request of the board of directors by a majority vote of the Council. It can be reduced unilaterally by the board of directors when the potential exists for the reserves level to be less than that mandated by Financial Policy 1.
- The Reinvestment Committee would have the authority to grant funding requests submitted by applicants.
- The Reinvestment Committee would have one face-to-face meeting a year.

#### Rationale

As described in the committee's report, the creation of the Reinvestment Committee would provide continuity and the committee would be authorized to award up to 5 percent of invested reserves each year to support the mission and vision of NCEES.

#### Financial impact

The financial impact is estimated to be \$10,200 annually for the face-to-face committee meeting.

#### Board of directors' position

Does not endorse, non-consent agenda

#### Board of directors' rationale

The NCEES board of directors does not support the creation of a standing Reinvestment Committee. The board's opposition is based on advice from corporate counsel that NCEES fiduciary responsibilities belong to the board of directors in accordance with the South Carolina Nonprofit Corporation Act. Therefore, non-board committees should not have those responsibilities.



## Northeast Zone Resolution

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WHEREAS: The NCEES board of directors passed the following motion at its February 2016 meeting:

Approve a third approval option for the professional exams to allow applicants to test if they attest to having met the selected board's requirements. The three models would be manual, education restricted with verification of the fundamentals exam and verification of education through a transcript, and automatic with applicants attesting to meeting the selected board's requirements.

THEREFORE, be it

RESOLVED: That the NCEES board of directors stay the motion passed at its February 2016 board meeting concerning attesting to qualifications allowing applicants to take the professional exams offered by NCEES; be it further

RESOLVED: That a task force or special committee be formed to study this issue because this subject impacts a number of areas of NCEES. This group would be charged to develop a recommendation for approval by the Council at the 2017 annual meeting.

### Rationale

When NCEES converted the FE/FS exams from the pencil-and-paper exam to computer-based testing (CBT), an option was developed to allow the test takers to apply directly to NCEES for admittance to the exam. This direct admittance bypassed the requirement that the examinee had to apply through the local jurisdiction. The result of this is that in most states there is no review of the applicants' credentials prior to taking the exam. The concern was that unqualified persons could take the exam.

Because of this concern, the CBT Task Force and the Council staff spent much time discussing the pros and cons of no preapproval process for the FE/FS exams and came to the conclusion that since the fundamentals exam was only the first of the two exams and engineer intern/surveyor intern certification provided no authority to practice, this would be an acceptable option. During those same discussions, Council members were told that state jurisdictions would still have the requirement and responsibility as the exam gatekeepers to ensure that only persons who were qualified or could be qualified are admitted to sit for the PE/PS exams. The concerns of the high-stakes exam exposure and potential security threats were among the many reasons that we were assured that this would not ever become an issue with the PE/PS exams and that credential checks would certainly be required before allowing applicants to take the PE/PS exams.

At the February 2016 board of directors meeting, the board passed a motion to give states the option to allow persons who have not been vetted by a Council jurisdiction to sit for the exam by simply paying the fee and attesting that they can meet the selected board's requirements. There was no committee that had this as a charge, and there has been no detailed review of the consequences—implied or unintended—of this action. Further, this action is of such significance that to adopt such a policy that will apply to all future professional exams (pencil-and-paper and CBT) needs additional study and a vote of the Council.

While this makes it easier upfront for the examinee to take the exam, in the long run the person will still need to supply the information to obtain his or her license—if the jurisdictions are doing their job. The only benefit is to the jurisdiction staff and board members, as they will not be reviewing people who cannot pass the exam. States that require failed applicants to furnish a plan of study and/or mentoring sessions with the board will no longer have this control.

There are a number of issues that need to have a closer review and in some cases a legal review. Some of these issues are as follows:

- Liability of denying a license to a person who has passed the exam because he or she does not meet the jurisdiction's legal requirements.
- Signing up to take the exam through the state that adopt the attest option and then applying to other states. An example is persons who attest to meeting the requirements of State A; take the test in State B; and initially apply to their home state, State C, where they don't meet the requirements.

- Applicants looking for the “easy” states in which to obtain a license (this may currently be a problem).
- This may make it harder to obtain comity and Model Law Engineer or Model Law Surveyor status.
- It will not reduce the need for jurisdictions to review the applicants for either initial status or comity.
- It does not support meeting the board of directors’ goal of promoting commonality between states if there are “options” for preapproval or attestations.
- Initially, this was proposed by the surveyors on the NCEES board of directors, and their applicants generally practice in jurisdictions that are adjoining. There are also different education requirements (4-year degree vs. 2-year or experience) so their applicants would normally know what the licensing requirements are.
- This would require more work by the NCEES staff to determine if the attesting applicant has passed the fundamentals exam in his or her field (not sure that this review was made a requirement). Without this requirement, people could attest that they meet the requirements when they obviously don’t.
- This could allow people without a degree to take the exam. This is especially a concern for the engineering and surveying jurisdictions that do have an educational requirement. Again, does this put more work on NCEES staff to check this out? If this and the above bullet are true, it is moving more work and responsibility on the NCEES staff. If it is not true, anyone can take the exam; is this what we want?
- Some other unanswered questions and possible unintended consequences:
  - What impact will this have on exam security?
  - What can be done to people who falsely attest?

**Board of directors’ position**

Does not endorse, non-consent agenda

**Board of directors’ rationale**

At its May meeting, the NCEES board of directors discussed the Northeast Zone resolution thoroughly. The resolution has two parts: (1) Asking the board to remove the automatic approval option that was approved at the February board of directors meeting and (2) Asking the Council to study the idea further. The board discussed the pros and cons of the automatic approval option and acknowledged that some member boards had requested for this option to be available. Consequently, the board agreed for the automatic approval option to be available to all member boards effective June 20, 2016, pending further action by the full Council at the 2016 annual meeting.

## **Southern Zone Resolution**

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**WHEREAS:** NCEES funding has remained constant with respect to zone interim meetings regardless of attendance at the meeting; therefore, be it

**RESOLVED:** That NCEES Financial Policy 4 be amended to state that each zone shall be granted an equal sum of money each year from the funds of the Council for attendance of up to 75 members. Additional funding by the Council for attendance above 75 members shall granted to the respective zone at \$200 per member.

### **Rationale**

NCEES Financial Policy 4 currently states the following:

Each zone shall be granted an equal sum of money each year from the funds of the Council to be used for zone expenses, zone meetings, and expenses of the zone vice president, assistant vice president, and secretary-treasurer to the interim zone meeting. The amount of the grant will be determined by the board of directors. Zone operations conducted under the Council's federal tax identification number shall be considered part of the Council activities and will be administered and monitored by the chief executive officer in conjunction with zone officers.

The Southern Zone routinely has greater than 75 attendees at annual zone interim meetings. The additional contribution of \$200 for each attendee greater than 75 at an interim meeting would further assist in defraying costs to the zone to conduct the meeting, assist in maintaining the quality of the meeting, and further enhance the attendance at the interim meeting.

### **Financial impact**

The projected cost is estimated to be \$7,500 annually.

### **Board of directors' position**

No position, non-consent agenda

## **Unfinished Business**

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After all other motions have been considered, the Finance Committee chair will present the 2016–17 fiscal year budget for Council action.

### **MOTION**

Move to adopt the 2016–17 proposed operating and capital expenditure budgets, which are shown in the Finance Committee Appendices B and C.

July 26, 2016

Jerry Carter  
Chief Executive Officer  
NCEES  
280 Seneca Creek Road  
Seneca, South Carolina 29678

Dear Jerry:

I am writing you today regarding the proposed Committee on Uniform Procedures and Legislative Guidelines (UPLG) Motion 12, which has been endorsed by the NCEES Board of Directors, and will be offered for a vote at the upcoming NCEES 95<sup>th</sup> Annual Meeting in Indianapolis. Although the proposed amendments to the *Model Law* and *Model Rules* have been described as non-substantive, merely adding “language for structural engineers (that is) parallel to that of professional engineers and professional surveyors,” their impact would be profound and, in our view, damaging to the PE license. Passage of UPLG Motion 12 would place NCEES’ endorsement, as a recommended best practice for every jurisdiction to consider, the creation of a separate license for structural engineers and a requirement that those specifically licensed as structural engineers be included as members of every jurisdictional licensing board.

NSPE was disappointed and surprised to see this motion on the agenda. A proposal for a separate structural engineering license was brought to the Council for a vote at last year’s NCEES meeting and was defeated. The Council sent a very clear message that NCEES is a member-driven organization. NSPE strongly urges NCEES to honor the Council’s decision in last August’s vote and not proceed again with an action that fractures our profession.

NCEES and NSPE have a strong relationship and a shared commitment to promote and protect the licensed PE. We have a common cause in increasing public awareness of the critical role of the PE in protecting the public health, safety and welfare. Recognizing a separate structural engineering license as proposed and rejected by NCEES last year, and as proposed again in these revisions, would splinter the profession, confuse the public, and weaken a strong licensure regulatory system.

NSPE would like to make clear that it does not object to PEs individually identifying the fact that they practice in a particular field of engineering, like structural engineering, or use specialty designations in combination with the “PE” designation so long as such communications are in accordance with local practice regulations.

Given that the practical effect of the proposed amendments would be to redefine the fundamental nature of the PE license, Motion 12 goes well beyond the UPLG’s charge to address inconsistencies and conflicts in the existing language of the

*Model Law and Rules.* Accordingly, NSPE urges the NCEES Council to defeat this motion.

Given the very compressed timeline before the NCEES Annual Meeting, please contact NSPE Deputy Executive Director Art Schwartz at [aschwartz@nspe.org](mailto:aschwartz@nspe.org) or NSPE Senior Manager of Government Relations Arielle Eiser at [aeiser@nspe.org](mailto:aeiser@nspe.org) at your earliest convenience if you have any questions or need additional information. Thank you for your consideration of this request.

Sincerely,



Kodi Jean Verhalen, P.E., Esq., F.NSPE  
President 2016-2017  
National Society of Professional Engineers

cc: Michael Conzett, P.E., President, NCEES  
Daniel Turner, Ph.D., P.E., P.L.S., President-Elect, NCEES  
NCEES Delegates



# NCSEA

National Council of Structural Engineers Associations

August 2, 2016

Jerry Carter  
NCEES  
280 Seneca Creek Road  
Seneca, SC 29678

Dear Mr. Carter:

On behalf of the Board of Directors of the National Council of Structural Engineers Associations (NCSEA) and the more than 11,000 structural engineers who belong to its 44 Member Organizations throughout the United States, I would like to thank you and the NCEES Board of Directors for endorsing the proposed Committee on Uniform Procedures and Legislative Guidance (UPLG) Motion 12. We look forward to seeing this motion passed and believe that this change in language in the Model Law and Model Rules is consistent with the three designations of Model Law Engineer, Model Law Surveyor, and Model Law Structural Engineer.

As a member of the steering committee of the Structural Engineering Licensure Coalition (SELCO), NCSEA believes that Motion 12 does not create "separate" licensure for structural engineers, which we understand the National Society of Professional Engineers (NSPE) has suggested. Rather than setting up a parallel licensing system, Motion 12 simply corroborates discipline-specific licensure within the existing system in accordance with the nature of the Principles & Practice examinations that NCEES develops and administers to ensure that candidates demonstrate minimal competence in a particular area of engineering for the sake of public safety, health, and welfare. Since we are sure that the UPLG Committee, as well as the NCEES Board, vigorously discussed these changes before endorsing this motion, NCSEA is confident that the NCEES Member Boards will support them.

Sincerely,

Brian Dekker  
President  
NCSEA

Alfred Spada  
Executive Director  
NCSEA

AN ACT to amend Tennessee Code Annotated, Title 62,  
Chapter 2, relative to licensure of engineers.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

**SECTION 1.** Tennessee Code Annotated, Section 62-2-401(a), is amended by adding the following as a new appropriately designated subdivision:

( ) A person who holds a master's degree in engineering from an institution with an engineering program approved by the board as being of satisfactory standing, and with a specific record of four (4) years of more of progressive experience on engineering projects of a grade and character which indicates to the board that the applicant may be competent to practice engineering, and who has obtained certification as an engineer intern, shall be admitted to an examination, prepared by the National Council of Examiners for Engineering and Surveying, in the principles and practice of engineering. Upon passing such examination, the applicant shall be granted a certificate of registration to practice engineering in this state, provided the applicant is otherwise qualified.

**SECTION 2.** For purposes of promulgating rules and regulations, this act shall take effect upon becoming law, the public welfare requiring it.

**Master's degree rule (effective March 1, 2008; deleted May 1, 2015):**

Master's degree programs. A master's degree program in engineering which was either accredited by the EAC of the ABET (or its predecessor) at the time of graduation, or graduation was not more than two (2) academic years prior to accreditation, or which was offered by an institution with an undergraduate engineering program in the same discipline which was either accredited by the EAC of ABET (or its predecessor) at the time of graduation, or graduation was not more than two (2) academic years prior to accreditation, may be approved by the Board as being satisfactory. Applicants meeting this requirement shall be reviewed by the Board for determination of eligibility for the Principles and Practice of Engineering examination or for registration by comity.

DRAFT





**NCEES**

advancing licensure for  
engineers and surveyors

P.O. Box 1686 (280 Seneca Creek Rd.), Clemson, SC 29633 USA T: (864) 654-6824 F: (864) 654-6033

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ARCHITECTS AND  
ENGINEERS BOARD

June 30, 2016

2015-16  
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Theresa Hilliard Hodge, P.E.  
*Southern Zone Vice President*

Patrick J. Tami, P.L.S.  
*Western Zone Vice President*

Jerry T. Carter  
*Chief Executive Officer*

John Cothron  
State Board of Architectural and Engineering Examiners  
500 James Robertson Pkwy  
Nashville, Tennessee 37243-1142

Dear Mr. Cothron:

The National Council of Examiners for Engineering and Surveying exists to serve and support its member boards in advancing licensure for engineers and surveyors in order to safeguard the health, safety, and welfare of the public.

In addition to providing licensure examinations, NCEES offers a myriad of services, including the Records program, credentials evaluations, exam administration, outreach to promote licensure, and the development of model documents to aid and assist member boards.

The NCEES board of directors is committed to facilitating active and effective engagement of all member boards, as outlined in its strategic plan. To enhance communication and provide greater awareness about the range of NCEES services and leadership opportunities within the organization, we would like to extend an invitation to have a member of the NCEES board or senior staff attend an upcoming meeting of your respective board. This would be at no cost to your board and would afford the opportunity to further detail the services available through NCEES and to respond to any questions that you or your board members may have.

If you are interested in scheduling a visit, please contact me via email or phone and provide the date for the proposed meeting. Your request will be forwarded to 2016-17 President Daniel Turner, who will appoint a member of the NCEES leadership to attend your meeting between September 1, 2016, and September 30, 2017.

We hope that your board will take advantage of this opportunity. We feel it would be a positive experience and help achieve more effective communication between the NCEES board of directors and member boards.

If you have any questions or if I can provide additional information, please do not hesitate to contact me.

For the board,

Jerry T. Carter  
Chief Executive Officer

Cc: NCEES Board of Directors  
Davy McDowell, PE, Chief Operating Officer

# **THE JAPAN PE/FE EXAMINERS COUNCIL**

## **TENNESSEE STATE BOARD OF ARCHITECTURAL AND ENGINEERING EXAMINERS**

THIS MEMORANDUM OF UNDERSTANDING (the “AGREEMENT”) is made and entered into this \_\_\_\_ day \_\_\_\_\_ of 201\_\_ by and between The Japan PE/FE Examiners Council (hereinafter referred to as “JPEC”), with a mailing address of 2-10-17-2F, Akasaka, Minato-ku Tokyo, Japan 107-0052 and the Tennessee State Board of Architectural and Engineering Examiners (hereinafter referred to as the “Board”), with a mailing address of 500 James Robertson Pkwy., 5<sup>th</sup> Floor, Nashville, TN 37243, USA.

The Professional Engineer (PE) license is regarded as the global standard for engineering and is a recognized criterion of an individual’s engineering competency;

The Fundamentals of Engineering (FE) and the Principles and Practice of Engineering (PPE) exams are administered in Japan by the National Council of Examiners for Engineering and Surveying (NCEES) and JPEC;

JPEC candidates who have successfully completed the FE and PPE exams cannot become or refer to themselves as a PE until they are licensed in a United States jurisdiction;

JPEC candidates want to apply for PE licensure in Tennessee; and

THEREFORE, in consideration of the mutual covenants and conditions contained herein, JPEC and the Board hereby AGREE as follows:

## **1. PURPOSE**

1.1 The purpose of this Agreement is to facilitate the licensure of JPEC candidates as Professional Engineers (PE) in the State of Tennessee.

## **2. BOARD REQUIREMENTS**

2.1 The Board will accept candidates for PE licensure who have successfully completed the FE and PPE exams administered by NCEES/JPEC in Japan.

2.2 Candidates must meet the Board's requirements for PE licensure contained in Tennessee Code Annotated Title 62, Chapter 2 including:

a. Education – an engineering degree (4-year minimum) accredited by the Engineering Accreditation Commission (EAC) of the Accreditation Board for Engineering and Technology (ABET) or acceptable evaluation from NCEES Credentials Evaluation Services.

b. Exams – Passed both the FE and PPE exams. The FE exam may be waived for applicants with twelve (12) years or more of progressive engineering experience.

c. Experience – Four (4) years of progressive engineering experience obtained after graduation with the qualifying degree, **with at least (1) year of this experience completed in the United States.**

a. The Board may grant toward experience requirements for registration as an engineer one (1) year of credit for graduation with a Master's Degree (or higher) in engineering from an approved curriculum or up to one (1) year of qualified experience obtained in

an established cooperative education program, which is carried out within the framework of an approved engineering curriculum, and which has been approved by the Board.

### **3. JPEC CANDIDATE REQUIREMENTS**

- 3.1** Candidates shall use the application forms prescribed by the Board.
- 3.2** The application fee must accompany the application and is the same for U.S. applicants.
- 3.3** Candidates shall obtain an evaluation of their education by NCEES Credentials Evaluation Services unless they have an EAC ABET accredited engineering degree. If they have an EAC ABET accredited engineering degree, candidates must request an official transcript be sent from the school to the Board.
- 3.4** Candidates shall submit five (5) references from individuals familiar with the applicant's work and/or character, three of whom must be licensed engineers. References are not required to be licensed in the United States, but can hold a license from another country such as Japan.
- 3.5** Candidates agree to use their email addresses as their official means of contact with the Board for all purposes.
- 3.6** JPEC will work with the Board to develop appropriate procedures for the exchange of work experience information which will assist the Board in evaluating the engineering experience of the candidates.

### **4. TERM**

The initial term of this AGREEMENT shall be from the effective date through December 31, 2016. Unless terminated by one of the parties, this AGREEMENT shall be automatically extended for additional one-year periods.

IN WITNESS WHEREOF, the parties have executed this AGREEMENT as of the date above.

**AGREED TO BY:**

**The Japan PE/FE Examiners Council**

\_\_\_\_\_  
**Shinichi Yamauchi, P.E., President**

\_\_\_\_\_  
**Date**

**Tennessee State Board of Architectural and Engineering Examiners**

\_\_\_\_\_  
**Susan K. Ballard, RID, Chair**

\_\_\_\_\_  
**Date**

## John Cothron

---

**From:** shinichiyamauchi@aol.com  
**Sent:** Wednesday, July 06, 2016 5:56 AM  
**To:** John Cothron  
**Cc:** jcarter@ncees.org; hirosepe@jpec2002.org; yamauchi@jpec2002.org  
**Subject:** MOU with JPEC

**\*\*\* This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. \*\*\***

Dear Mr. John Cothron,  
Executive Director  
Tennessee Department of Commerce and Insurance  
Board of Architectural and Engineering Examiners

We are sorry to have kept you waiting.

We have discussed your proposed draft MOU at our last board meeting, and some comments have appeared especially for the clause 2.2.C.

*“Four (4) years of progressive engineering experience obtained after graduation with the qualifying degree, with at least (1) year of this experience completed in the United States.”*

Frankly speaking, most JPEC candidates cannot fulfill or overcome this requirement, so we would like to discuss this clause from the following points.

- (1) MOUs of other states do not contain this clause, so deleting this part would be one option, although we can understand your intention that he/she who desires to register in your state should have some experience in US.

Remarks: As you write down in the preamble, *“The Professional Engineer (PE) license is regarded as the global standard for engineering and is a recognized criterion of an individual’s engineering competency; so not sticking to US experience might be another way of thinking.*

- (2) In case we accept this clause, that is we are ready to let this part remain as it is, we are afraid that the number of applicants to your state would not increase compared with other states.
- (3) Another option might be changing from “at least one year experience in US” to “at least one year experience in US or X year’s working experience with US firm(s) in fields such as engineering alliance, cooperation, export/import of engineering related from/to US firm(s), JV with US firm(s), etc. which requires close experience/insight of US engineering field” (better and more sophisticated expression might exist.).

I will attend the coming NCEES annual meeting in Indianapolis, so I am more than happy to have talking with you this matter and also exchange information with you and your colleagues.

With regard to application of P.E. registration to your board we'll have some clarifications, so please accept our contact to your board hopefully within July. Mr. Gene Hirose, P.E., Director in charge of liaison will contact you.

Thank you for your understanding and I would appreciate it very much if you could have some time to talk with me during the meeting.

Best regards,

Shinichi Yamauchi, PhD, PE  
President of JPEC

-----元のメッセージ-----

差出人: shinichiyamauchi <shinichiyamauchi@aol.com>  
宛先: John.Cothon <John.Cothon@tn.gov>  
CC: genehirose06 <genehirose06@jcom.zaq.ne.jp>; yamauchi <yamauchi@jpec2002.org>  
送信日時: 2016/5/26, 木, 10:33  
件名: Re: MOU with JPEC

Dear Mr. John Cothon,  
Executive Director  
Tennessee Department of Commerce and Insurance  
Board of Architectural and Engineering Examiners

Thank you for your mail.

I greatly appreciate your kindness

and we are interested in pursuing an agreement with your state.

We would like to study and discuss it at our board meeting.

I know quite well that many Japanese companies operate in your state, and close cooperation with your board would surely be valuable.

Please let us have some time, and we would contact you in due course.

Also we will be able to meet and exchange information at the next NCEES annual meeting in Indianapolis.

Thank you and best regards,  
Shinichi Yamauchi, PhD, PE  
President of JPEC

-----元のメッセージ-----

差出人: John Cothon <John.Cothon@tn.gov>  
宛先: 'shinichiyamauchi@aol.com' <shinichiyamauchi@aol.com>  
送信日時: 2016/5/25, 水, 23:27  
件名: MOU with JPEC

Dear Mr. Yamauchi,

I am the Executive Director of the Tennessee Board of Architectural and Engineering Examiners (the licensing board for Professional Engineers in the state), and Jerry Carter with NCEES suggested that I contact you regarding the establishment of a licensing agreement with JPEC. The Tennessee Board is interested in establishing an agreement with JPEC similar to the agreements already established between JPEC and Mississippi, Kentucky, Texas, and North Carolina (and possibly other U.S. jurisdictions).



As you may be aware, several Japanese companies operate in Tennessee, including Nissan North America, Yorozu Automotive, M-Tek, Bridgestone Americas, and Denso Manufacturing. According to the Tennessee Department of Economic and Community Development, there are nearly 180 Japanese-owned companies operating in the state, and Japan is the largest foreign investor in Tennessee. The Tennessee PE Board would like to foster further cooperation with Japan through a licensing agreement.

I have attached a draft agreement for your review. Please let me know at your earliest convenience if your organization would be interested in pursuing an agreement with Tennessee. Feel free to contact me if you have any questions. Thank you in advance for your kind assistance.

Sincerely,



**John Cothron** | Executive Director  
Tennessee Department of Commerce and Insurance  
Board of Architectural and Engineering Examiners  
Davy Crockett Tower, 5<sup>th</sup> Floor  
500 James Robertson Parkway, Nashville, TN 37243-1142  
p. 800-256-5758 or 615-741-3221 direct 615-741-0681 f. 615-532-9410  
[john.cothron@tn.gov](mailto:john.cothron@tn.gov)  
[tn.gov/commerce/section/architects-engineers](http://tn.gov/commerce/section/architects-engineers)  
[Facebook](#) | [Instagram](#) | [Twitter](#)

## John Cothron

---

**From:** Gene Hirose <genehirose06@jcom.zaq.ne.jp>  
**Sent:** Tuesday, August 02, 2016 9:33 AM  
**To:** John Cothron  
**Cc:** JPEC Yamauchi; Jerry Carter; 'JPEC役員'  
**Subject:** MOU between TN and JPEC

Mr. John Cothron, Executive Director  
Tennessee Department of Commerce and Insurance  
Board of Architectural and Engineering Examiners

Dear John,

CC: Jerry Carter, CEO of NCEES  
S. Yamauchi, President of JPEC

I am Hitoshi (Gene) Hirose, P.E., Director of JPEC.

I understand that the current MOU (draft) with our comments is being reviewed by you and will be discussed between Dr. S. Yamauchi and you at the coming NCEES Annual Meeting in Aug. I have investigated the application forms for the P.E. registration at TN Board together with Tennessee Code Annotated Title 62, Chapter 2. Upon agreeing with the final MOU JPEC expects that Japanese candidates who have passed the NCEES/JPEC exam must be encouraged to apply for registering P.E. to TN Board. So, you are kindly requested to clarify or comment on the following our queries which may be asked by the JPEC candidates:

### 2. Board Requirements

#### 2.1 Successful completion of the FE and PPE exams administered by NCEES/JPEC in Japan.

(JPEC) Please clarify that TN Board will also accept the FE exams passed in other US boards.

#### 2.2 Meeting Tennessee Code Annotated Title 62, Chapter 2 including:

a. Education – 4 year minimum education accredited by EAC of ABET or acceptable evaluation from NCEES CE Services.

(JPEC) See 3.3 below.

b. Exams – Passed both the FE and PPE exams. Waviness of the FE exam by 12 years or more of progress engineering experience.

(JPEC) Please clarify that the below c.-a. will be applicable for the 12 years requirement.

c. Experience – 4 years of progressive engineering with at least 1 year experience in the US.

(JPEC) As Dr. Yamauchi commented by his mail on July 06, this issue has to be discussed further in order to enhance applications to your board.

a. The Board may grant toward experience requirements for registration as an engineer (1) year of credit for graduation with a Master's Degree (or higher) in engineering from an approved curriculum or up to one (1) year of qualified experience obtained in an established education program, which is carried out within the framework of an approved engineering curriculum, and which has been approved by the Board.

(JPEC) Please clarify whether the (1) year credit will be applicable both for a Master Degree and a Doctor Degree which means (2) years in total or (1) year in maximum even both Master and Doctor Degrees.

### 3. JPEC Candidate Requirements

#### 3.1 Application Forms

(JPEC) Please clarify that the JPEC applicants shall use the following forms obtained in the TN home page:

- Application For Registration To Practice As A Professional Engineer
- Experience (List each engagement in chronological order ...)
- References (List names and complete addresses of five persons...)
- Reference (This Request Letter Is To Be Completed By The Applicant)
- Request For Verification Of Registration Or Examination

#### 3.2 Application Fee

(JPEC) Please clarify that \$170 (\$30 + \$140) is required for the initial registration fee and \$140 for biennial registration fee.

#### 3.3 NCEES Credential Evaluation

(JPEC) Please clarify whether the Board will accept the university graduates accredited by JABEE (Japanese Accreditation Board of Engineering Education) who was admitted as one of signatory countries of Washington Accord in 2005 instead of the NCEES Credential Evaluation.

3.4 Five (5) References: not to be licensed in the US but can hold a license from another country such as Japan.

(JPEC) No comment.

3.5 Candidates email addresses as their official means of contact with the Board

(JPEC) No comment.

3.6 JPEC will work with the Board to develop appropriate procedures for the exchange of the work experience information which will assist the Board in evaluating the engineering experience of the candidates.

(JPEC) Will the Board be prepared to accept the "Record of Progressive Engineering Experience for PE Exam Applicants" submitted to JPEC when the JPEC exam candidate submitted his or her PPE exam application?

Gene Hirose, P.E. and FIEAust CPEng NER  
Director & Vice-President  
The Japan PE/FE Examiners Council (JPEC)  
Ishihara Building 2F, 2-10-17 Akasaka  
Minato-ku, Tokyo, 107-0052, Japan  
Phone: 03-3583-8781  
Fax: 03-6423-2040  
HP: 090-4433-3489

**MEMORANDUM**

**DATE:** 28 June 2016

**TO:** Member Board Chairs  
Member Board Executives

**FROM:** Kristine A. Harding, NCARB, AIA  
President, NCARB 

**RE:** Request for Signatories to the new Mutual Recognition Arrangement with Australia and New Zealand

The ability of an architect licensed in a U.S. jurisdiction to lawfully seek and find work abroad depends on their ability to become licensed in that foreign jurisdiction. In February, 2016 a new Mutual Recognition Arrangement was signed by the leaders of the Council, the Architects Accreditation Council of Australia (AACA), and the New Zealand Registered Architects Board (NZRAB).

In late 2014, current and former chairs of NCARB's Education Committee, Internship Committee, and Examination Committee, along with additional subject-matter experts, were appointed by then-president Dale McKinney, FAIA to review the requirements for licensure in Australia and New Zealand. Through a substantial comparative analysis, this special review team found a significant correlation between the expected professional competencies for practice and the way they were established and assessed in both countries. Furthermore, the detailed comparative analysis revealed that both countries maintain a rigorous and standardized licensure process that parallels NCARB's.

The terms of this Arrangement follow the lines of our current arrangement with Canada and are strongly founded on accredited education, structured experience, and comprehensive examination; the mainstays of licensure in our U.S. jurisdictions. All three countries also provide for alternative paths to licensure for those without accredited education. Those alternatives, like ours, are appropriately rigorous and include extended periods of experience prior to initial licensure. While this arrangement includes those applicants, the focus of the Arrangement is based on the primary and most often utilized pathway.

Kristine A. Harding, NCARB, AIA  
*President/Chair of the Board*  
Huntsville, Alabama

Gregory L. Ery, NCARB, AIA  
*First Vice President/President-elect*  
Reno, Nevada

David L. Hoffman, FAIA, NCARB  
*Second Vice President*  
Wichita, Kansas

Terry L. Allers, NCARB, AIA  
*Treasurer*  
Fort Dodge, Iowa

Robert M. Calvani, NCARB, AIA  
*Secretary*  
Albuquerque, New Mexico

Dennis S. Ward, FAIA, NCARB  
*Past President*  
Florence, South Carolina

David R. Prengaman, AIA, NCARB  
*Director, Region 1*  
Providence, Rhode Island

Susan B. McClymonds, AIA, CSI, CCS, SCIP  
*Director, Region 2*  
Amsterdam, New York

Alfred Vidaurri Jr., FAIA, NCARB, AICP  
*Director, Region 3*  
Fort Worth, Texas

Stephen L. Sharp, AIA, NCARB  
*Director, Region 4*  
Springfield, Ohio

Bayliss Ward, NCARB, AIA  
*Director, Region 5*  
Bozeman, Montana

Jim Oschwald, NCARB, AIA, LEED, AP<sup>BD+C</sup>  
*Director, Region 6*  
Albuquerque, New Mexico

Kingsley Johnson Glasgow  
*Member Board Executive Director*  
Little Rock, Arkansas

John E. Cardone Jr.  
*Public Director*  
Lake Charles, Louisiana

Michael J. Armstrong  
*Chief Executive Officer*

**Memorandum to Member Board Chairs and Member Board Executives  
Mutual Recognition Arrangement with Australia and New Zealand  
June 28, 2016  
Page 2**

The fundamental principles of recognition under this Arrangement are:

- Citizenship or lawful permanent residence in the home country,
- Validation of licensure in good standing from the home authority, and
- 6,000 hours (approximately three years) of post-licensure experience in the home country.

An architect who obtained their license through other foreign reciprocal registration procedures would not qualify for reciprocal registration under this Arrangement.

**Implementation of the Arrangement is contingent on more than half of all NCARB Member Boards becoming formal signatories to the Arrangement by December 31, 2016.** Likewise, AACA has the same timeframe to collect signed Letters from all eight of their member jurisdictions. NZRAB represents all registered architects in New Zealand and has secured ratification of the Arrangement. **Once we have collected the required number of signatories, the new arrangement will become effective January 1, 2017.**

Attached to this letter is the MRA and a Letter of Undertaking that we are respectfully asking you to sign on behalf of your Board. Please review this Letter of Undertaking with your fellow Board members and return an executed copy to Maurice Brown ([mbrown@ncarb.org](mailto:mbrown@ncarb.org)) by **December 31, 2016**. We will keep you informed as to the progress of Member Boards who are signing on to the Arrangement. Should you have any questions regarding the Arrangement or its impact, feel free to contact either Kathy Hillegas ([khillegas@ncarb.org](mailto:khillegas@ncarb.org)) or Stephen Nutt ([snutt@ncarb.org](mailto:snutt@ncarb.org)).

**Attachments:**

- Letter of Undertaking
- MRA between NCARB and AACA and NZRAB
- Letter of Good Standing (template)
- Declaration of Professional Experience (template)
- AACA/NZARB/NCARB Statement of Credentials (template)
- Confirmation of Council Certification

***Letter of Undertaking***  
with respect to the

**MUTUAL RECOGNITION ARRANGEMENT**  
between the  
**NATIONAL COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS**  
and the  
**ARCHITECTS ACCREDITATION COUNCIL OF AUSTRALIA**  
and the  
**NEW ZEALAND REGISTERED ARCHITECTS BOARD**

**The National Council of Architectural Registration Boards (NCARB)**  
representing the architectural licensing boards of the 50 United States,  
the District of Columbia, Guam, Puerto Rico, and the U.S. Virgin Islands.

**AND**

**The Architects Accreditation Council of Australia (ACA)**  
representing the architectural licensing boards of the eight states and territories of Australia.

**AND**

**The New Zealand Registered Architects Board (NZRAB)**  
representing the registered architects of New Zealand.

**WHEREAS**, NCARB, ACA, and NZRAB have agreed to and signed a Mutual Recognition Arrangement (Arrangement) dated 10 February 2016, ratified by the architectural licensing authorities represented by NCARB, the architectural licensing authorities represented by ACA, and the NZRAB.

**NOW THEREFORE**, this *Letter of Undertaking* shall be signed, without modification, by each individual licensing/registration authority wishing to participate in the Arrangement.

The undersigned licensing/registration authority, having the authority to register or license persons as Architects within its jurisdiction, wishes to become a signatory to the Arrangement by virtue of this *Letter of Undertaking*. In doing so, the licensing/registration authority agrees to and acknowledges the following:

1. The terms used in this *Letter of Undertaking* shall have the same meaning as defined in the Arrangement between NCARB, ACA, and NZRAB dated 10 February 2016.
2. The undersigned individual has the authority to sign on behalf of the licensing/registration authority.

*Letter of Undertaking*  
MRA between NCARB, AACA, and NZRAB

3. As a signatory to the Arrangement, the undersigned licensing/registration authority will adhere to the fundamental principles of the Arrangement and agrees to accept the *Letter of Good Standing* provided by the home licensing/registration authority and the applicant's personal *Declaration of Professional Experience* as satisfying the eligibility requirements for licensing/registration as set forth in the Arrangement.
4. The undersigned licensing/registration authority will not impose any additional education, experience, or examination requirements, or require the applicant to provide education transcripts, experience verifications, examination scores, or government identification numbers (including, but not limited to, Social Security Numbers or social insurance numbers). However, the host licensing/registration authority may impose familiarity with local laws and other local requirements that also apply to all domestic applicants seeking reciprocal licensure.
5. In keeping with the above, the undersigned licensing/registration authority agrees that it will accept for licensure/registration to practice architecture in its jurisdiction a licensed/registered architect who holds a valid and current NCARB Certificate that has been issued in accordance with the Arrangement and satisfies all conditions outlined within the Arrangement.

**IN WITNESS WHEREOF**, the licensing/registration authority named below has caused the duly authorized person, on its behalf, to execute and deliver this *Letter of Undertaking*.

Entered into on \_\_\_\_\_, 201\_\_.

By: \_\_\_\_\_  
Name of Licensing/Registration Authority

\_\_\_\_\_  
Name of duly authorized individual and title

\_\_\_\_\_  
Signature

*Copy of Mutual Recognition Arrangement attached*

**MUTUAL RECOGNITION ARRANGEMENT**  
between the  
**NATIONAL COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS**  
and the  
**ARCHITECTS ACCREDITATION COUNCIL OF AUSTRALIA**  
and the  
**NEW ZEALAND REGISTERED ARCHITECTS BOARD**  
as executed

**10 February 2016**

---

**The National Council of Architectural Registration Boards (NCARB)**  
representing the architectural licensing boards of the 50 United States,  
the District of Columbia, Guam, Puerto Rico, and the U.S. Virgin Islands.

**AND**

**The Architects Accreditation Council of Australia (AACA)**  
representing the architectural licensing boards of the eight states and territories of Australia.

**AND**

**The New Zealand Registered Architects Board (NZRAB)**  
representing the registered architects of New Zealand.

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*This Mutual Recognition Arrangement has been designed to recognize the professional credentials of architects licensed/registered in the U.S., Australia, and New Zealand and to support their mobility by creating the opportunity to practice beyond their borders. More specifically, the purpose of this Arrangement is to facilitate the registration of an architect licensed in a participating U.S. jurisdiction as an Australian architect or New Zealand architect; and the licensing of an Australian architect or New Zealand architect as an architect in a U.S. jurisdiction that has agreed to participate in the Arrangement.*

**WHEREAS**, NCARB establishes model regulations for the profession of architecture and promulgates recommended national standards for education, experience, and examination for initial licensure and continuing education standards for license renewal to the 54 Member Boards; as well as establishing the education, experience, and examination requirements for the *NCARB Certificate* in support of reciprocal licensure within the United States;



**WHEREAS**, AACA advocates, coordinates, and facilitates the development of national standards of competency for the profession of architecture through education, practical experience, and examination requirements for initial licensure and license renewal for all eight Australian State and Territory Registration Boards;

**WHEREAS**, NZRAB, as established by an act of the New Zealand Parliament, or its statutory successor, holds the statutory authority to determine the minimum education qualifications, work experience requirements, and assessment procedures for initial registration and license renewal as a registered architect in New Zealand, as well as the responsibility to register, monitor, and discipline all architects registered in New Zealand;

**WHEREAS**, NCARB and the AACA previously ratified Mutual Recognition Agreements in 1973, 1983, and 2006 that were never fully realized; NCARB, the AACA, and the Architects Education and Registration Board of New Zealand (AERB/NZ) ratified separate Practice in a Host Nation Agreements in 2002 that were never fully implemented; and the AERB/NZ no longer exists and has been statutorily replaced by the NZRAB; and NCARB, AACA, and the NZRAB declare all former Agreements no longer exist or are terminated;

**WHEREAS**, the NCARB Member Boards, the Australian State and Territory Boards, and the NZRAB are empowered by statutes to regulate the profession of architecture in their respective jurisdictions, including establishing education, experience, and examination/assessment requirements for licensure/registration and license/registration renewal;

**WHEREAS**, the standards, protocols, and procedures required for entry to the practice of architecture within the United States, Australia, and New Zealand have benefitted from many years of effort by NCARB, AACA, and NZRAB;

**WHEREAS**, NCARB and the AACA are the lead organizations recognized by their individual state and territory registration authorities and the NZRAB has the necessary statutory authority for the negotiation of mutual recognition arrangements for architects with similar foreign authorities;

**WHEREAS**, accepting there are differences between the systems in place in United States, Australia, and New Zealand, nonetheless there is significant and substantial equivalence between the regulatory systems for licensure/registration and recognition of the privilege and obligations of architects registered to practice in the United States, Australia, and New Zealand;

**WHEREAS**, NCARB, AACA, and NZRAB are recognized by the profession as mature and sophisticated facilitators of licensure to which the utmost full faith and credit should be accorded and desire to support reciprocal licensure/registration in the host country of architects who have been licensed/registered in their home country;

**WHEREAS**, any architect actively engaging or seeking to engage in the practice of architecture in any United States jurisdiction, Australian jurisdiction, or New Zealand must obtain the authorization to practice from the jurisdiction, must comply with all practice requirements of the jurisdiction, and is subject to all governing legislation and regulations of the jurisdiction;

**NOW THEREFORE**, NCARB, AACA, and NZRAB agree as follows:

## **1. PARTIES TO THE ARRANGEMENT**

Any NCARB Member Board and any Australian State or Territory Board may become a party to the provisions of this Arrangement by submitting a signed *Letter of Undertaking* to the responsible negotiating representative. The *Letter of Undertaking* is incorporated herewith and includes the binding requirements for the implementation of this Arrangement by each individual signatory jurisdiction. The *Letters of Undertaking* shall be distributed, collected, and maintained by NCARB, AACA, and NZRAB respectively. NCARB and AACA each shall promptly notify the others in writing of all individual signatories. Each NCARB Member Board and each Australian State or Territory Board that executes a *Letter of Undertaking*, and which has not withdrawn from this Arrangement, as well as NCARB, AACA, and NZRAB once they sign this Arrangement below, shall be known as a “Party to this Arrangement.”

## **2. ELIGIBILITY REQUIREMENTS**

1. Architects who are able to benefit from the provisions of this Arrangement must be citizens respectively of the United States, Australia, or New Zealand or have lawful permanent residency status in that country as their home country in order to seek licensure/registration in one or the other countries serving as the host country under this Arrangement.
2. Architects shall not be required to establish citizenship or permanent residency status in the host country in which they seek licensure/registration under this Arrangement.
3. Architects must be licensed/registered in a jurisdiction of their home country and must have completed at least 6,000 hours of post-licensure/registration experience practicing as a registered architect in their home country as demonstrated through the provision of proof of current and valid licensure in good standing from the jurisdictional licensing authority and a declaration signed by the applicant attesting to the experience.
4. Notwithstanding items 1, 2, and 3 above, Architects who have become licensed/registered in their home country by means of a foreign reciprocal licensing agreement/arrangement are not eligible under this Arrangement.

### 3. CONDITIONS

#### **A** U.S. Architect to AACA Jurisdiction

Upon application, those Australian State and Territory Boards who become a Party to this Arrangement agree to license/register as an architect in their respective jurisdiction any U.S. architect who:

1. meets the eligibility requirements listed in Section 2 of this Arrangement, and
2. holds a current *NCARB Certificate*, and
3. has been issued an *AACA Statement*, and
4. is currently licensed/registered in good standing by one or more NCARB Member Board(s) that is a Party to this Arrangement.

#### **B** U.S. Architect to NZRAB

Upon application, the NZRAB agrees to register as an architect in New Zealand any U.S. architect who:

1. meets the eligibility requirements listed in Section 2 of this Arrangement, and
2. holds a current *NCARB Certificate*, and
3. is currently licensed/registered in good standing by one or more NCARB Member Board(s) that is a Party to this Arrangement.

#### **C** Australian Architect to NCARB Jurisdiction

Upon application, NCARB shall issue an *NCARB Certificate* to any Australian Registered Architect licensed/registered in one or more AACA jurisdiction(s) meeting the eligibility requirements listed above.

Upon application, those NCARB Member Boards who become a Party to this Arrangement agree to license/register as an architect in their respective jurisdiction any Australian Registered Architect who:

1. meets the eligibility requirements listed in Section 2 of this Arrangement, and
2. holds a current *AACA Statement*, and
3. has been issued an *NCARB Certificate*, and
4. is currently licensed/registered in good standing by one or more Australian State and Territory Board(s) that is a Party to this Arrangement.

#### **D** New Zealand Architect to NCARB Jurisdiction

Upon application, NCARB shall issue an *NCARB Certificate* to any New Zealand Registered Architect licensed/registered by the NZRAB meeting the eligibility requirements listed above.

Upon application, those NCARB Member Boards who become a Party to this Arrangement agree to license/register as an architect in their respective jurisdictions any New Zealand Registered Architect who:

1. meets the eligibility requirements listed in Section 2 of this Arrangement, and
2. holds a current *NCARB Certificate*, and
3. is currently licensed/registered in good standing by the NZRAB.

#### **4. MONITORING COMMITTEE**

A Monitoring Committee is hereby established to monitor the performance of all signatories who have agreed to be bound by the terms and conditions of this Arrangement to assure the effective and efficient implementation of this Arrangement.

The Monitoring Committee shall be comprised of no more than five individuals appointed by NCARB, no more than five individuals appointed by AACA, and no more than five individuals appointed by NZRAB. The Monitoring Committee shall convene at least one meeting (by phone, video conference, or in person) in each calendar year, and more frequently if circumstances so require.

#### **5. LIMITATIONS**

Nothing in this Arrangement limits the ability of an NCARB Member Board, Australian State or Territory Board, or the NZRAB to refuse to license/register an architect or impose terms, conditions or restrictions on his/her license/registration as a result of complaints or disciplinary or criminal proceedings relating to the competency, conduct, or character of that architect where such action is considered necessary to protect the public interest.

Nothing in this Arrangement limits the ability of NCARB, AACA, NZRAB or any individual state or territory registration board to seek appropriate verification of any matter pertaining to the foregoing or the eligibility of an applicant under this Arrangement.

#### **6. AMENDMENT**

This Arrangement may only be amended with the written consent of NCARB, AACA, and NZRAB. Any such amendment will be submitted to each NCARB jurisdiction and AACA jurisdiction, who may re-affirm their respective assent to this Arrangement as so amended or may withdraw as a Party to this Arrangement.

#### **7. NO ASSIGNMENT**

No Party can assign their rights under this Arrangement without the prior written consent of NCARB, AACA, and NZRAB.

The Parties agree that a reference to an individual State or Territory Board includes a reference to any entity, board or regulator that assumes the role and responsibility to regulate an architect registered by that individual State or Territory Board under the relevant legislation, and that a restructure of an individual Board will not be deemed an assignment under this Arrangement.

#### **8. WITHDRAWAL**

Any NCARB Member Board, Australian State or Territory Board, or the NZRAB may withdraw from this Arrangement with 90-days written notice given respectively to the responsible negotiating representative. NCARB, AACA, and NZRAB shall each promptly notify the other in writing of all withdrawals.

In the event of withdrawal, all licenses/registrations and any *NCARB Certificate* granted to architects pursuant to this Arrangement shall remain valid as long as all registration and renewal obligations are maintained and all other generally applicable licensure requirements are met or unless registration is revoked for cause.

**9. TERMINATION**

NCARB, AACA, or NZRAB may invoke termination of this Arrangement with 90-days written notice to the other parties. This Arrangement shall also terminate if more than one-half of the respective NCARB Member Boards or any Australian State and Territory Board or the NZRAB cease to be Parties to this Arrangement.

In the event of termination, all licenses/registrations granted pursuant to this Arrangement prior to the effective termination date shall remain valid as long as all registration and renewal obligations are maintained and all other generally applicable licensure requirements are met or unless registration is revoked for cause.

**10. ENTRY INTO FORCE**

This Arrangement shall come into force at such time as more than one-half of all NCARB Member Boards and all Australian State and Territory Boards have become Party to this Arrangement and the NZRAB has become party to this Arrangement so long as such condition is met on or before December 31, 2016, or as mutually extended by the NCARB, AACA, or NZRAB Board of Directors.

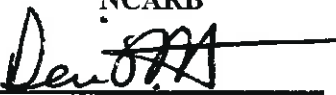




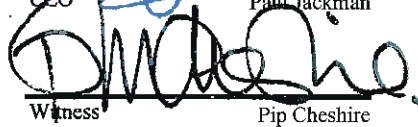

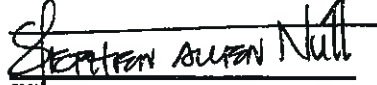

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**SIGNATURES**

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NCARB		AACA		NZRAB	
 President Dennis Ward	 President Richard Thorp	 Chair Warwick Bell			
 CEO Mike Armstrong	 CEO Kate Doyle	 CEO Paul Jackman			
 Witness Kristine Harding	 Witness Timothy Horton	 Witness Pip Cheshire			
 Witness Dale McKinney	 Witness Nadine Roberts	 Witness Callum McKenzie			
 Witness Stephen Nutt 30 January 2016	 Witness Mae Cruz 8 February 2016	 Witness Christina van Bohemen 10 February 2016			

**TEMPLATE TO BE COMPLETED BY LICENSING AUTHORITY**

***Letter of Good Standing***

DATE

NAME  
ADDRESS  
ADDRESS  
ADDRESS  
ADDRESS

Dear Sir or Madam:

This is to confirm that [ ***NAME OF ARCHITECT*** ] was licensed/registered on [ ***MONTH / DAY / YEAR*** ] with the [ ***NAME OF LICENSING AUTHORITY*** ] and was not licensed by means of a foreign reciprocal licensing agreement or a Broadly Experienced Foreign Architect program.

[ ***NAME OF ARCHITECT*** ] is currently a licensee/registrant in good standing with the [ ***NAME OF LICENSING AUTHORITY*** ] and is not currently the subject of disciplinary action by this licensing authority nor has a record of unresolved disciplinary action on file with this licensing authority.

Sincerely,

NAME  
Registrar

**TEMPLATE TO BE COMPLETED BY APPLICANT**

***Declaration of Professional Experience***

with respect to the

**MUTUAL RECOGNITION ARRANGEMENT**

between the

**NATIONAL COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS**

and the

**ARCHITECTS ACCREDITATION COUNCIL OF AUSTRALIA**

and the

**NEW ZEALAND REGISTERED ARCHITECTS BOARD**

I, [ *NAME OF ARCHITECT* ], declare and affirm that:

I am a citizen or hold permanent residency status in [ *UNITED STATES* or *AUSTRALIA* or *NEW ZEALAND* ];

I am a licensed/registered architect, and currently a licensee/registrant in good standing with the [ *NAME OF LICENSING AUTHORITY* ];

I was licensed on [ *MONTH / DAY / YEAR* ] with the [ *NAME OF LICENSING AUTHORITY* ] who will separately be confirming that I am in good standing with that Authority, and I did not obtain licensure in that jurisdiction by means of a foreign reciprocal licensing agreement/arrangement or a Broadly Experienced Foreign Architect program;

- I have completed a minimum of 6,000 hours of post-licensure experience as an architect engaged in the lawful practice of architecture in my home country;
- I meet all of the eligibility requirements of the Mutual Recognition Arrangement for reciprocal licensing between NCARB, AACA, and NZRAB; and
- I understand that upon licensure/registration, I must comply with all practice requirements of the host jurisdiction and will be subject to all governing legislation and regulations of the host jurisdiction.

**NO** I have/had a disciplinary action registered against me by a licensing authority (circle one)

**YES** *If yes, submit the summary findings and official action of the licensing authority, as well as any further explanation necessary with this form.*

*The host licensing authority has the right to request further details with respect to all disciplinary actions.*

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*I affirm that the above statements are accurate and true to the best of my knowledge and belief.*

---

Name of Architect (print)

---

Signature

---

Date



[architects  
accreditation  
council  
of australia](#)

ABN 83 465 163 655  
ACN 109 433 114  
PO Box 236  
Civic Square ACT  
Australia 2608  
T: 612 6230 0506  
F: 612 6230 7879

[mail@aaca.org.au](mailto:mail@aaca.org.au)

[www.aaca.org.au](http://www.aaca.org.au)

### AACA STATEMENT

Applicant:	XXXX		
Education:	MArch	University of NSW	May 1983
Other:	N/A		
Architectural Practice Examination*:	Passed		October 1990
First Registered:	NSW		December 1990
Currently Registered:	Victoria		

See attached statement of current registration status (*provided by the relevant architect registration board. AACA would seek this from the relevant Board*)

\* The AACA Architectural Practice Examination (APE) is a nationally consistent competency based assessment benchmarked against the National Standard of Competency for Architects. See <http://competencystandardforarchitects.aaca.org.au/matrix/index/print/assessment/4?assessment%5B%5D=4>.

The APE comprises three parts - completion of a logbook (3,300 hours) and Statement of Practical Experience, a written paper and an interview with architect practitioners. Candidates who have satisfactorily met the requirements of all three parts of the APE may apply for registration to the Architects Registration Board in any state or territory in Australia. See <http://competencystandardforarchitects.aaca.org.au/matrix/index/print/assessment/4?assessment%5B%5D=4>



## Evaluation of Record

For application for registration/licensure in the United States of America  
under the Australia United States New Zealand MRA

Applicant's name: -

New Zealand registration number: -

Academic qualification relevant to  
registration: -

Qualification provider: -

Year academic qualification obtained: -

Current New Zealand registration status: -

Date first registered: -

For further information, contact the New Zealand Registered Architects Board at  
[info@nzrab.org.nz](mailto:info@nzrab.org.nz) or 0064 4 471 1336:



# Council Certification

NCARB FILE NO. «NCARB\_NO» NCARB CERTIFICATE NO. «NCARB\_CERT\_NUM»

**The National Council of Architectural Registration Boards**  
Certifies that

«NCARB\_NAME\_FIRST» «NCARB\_NAME\_MIDDLE» «NCARB\_NAME\_LAST»

has met all requirements for Council Certification  
and is therefore recommended to all Registration Authorities for  
REGISTRATION or LICENSE AS AN ARCHITECT.

Given under our hand and the Seal of the Council  
This \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_.



\_\_\_\_\_  
Terry Allers, AIA, NCARB  
Secretary

*Article IX, Section 3 of the Bylaws provides that, "Council Certification shall be in effect for a period of one year. Renewal of the Certification shall be predicated upon the submission of an annual fee and the submission of an annual report containing such information as the Council deems appropriate."*

I HEREBY CERTIFY that annual renewal fees and reports having been submitted as required by the Bylaws, the above Certification is in effect on this \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_.



MINUTES OF A MEETING OF THE  
TENNESSEE BOARD OF ARCHITECTURAL AND ENGINEERING EXAMINERS  
Davy Crockett Tower  
Nashville, Tennessee  
Thursday, June 2, 2016

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**CALL TO ORDER**

Robert Campbell, Jr., Chair, called the regular meeting of the Tennessee Board of Architectural and Engineering Examiners to order at 9:30 a.m. on June 2, 2016, at the Davy Crockett Tower, in Nashville, Tennessee. A quorum was declared present.

The following **Board members** were present:

Susan Ballard	Registered Interior Designer
Robert Campbell, Jr.	Professional Engineer
Jerome Headley	Registered Architect
Philip Lim	Professional Engineer
Bill Lockwood	Registered Landscape Architect
Susan Maynor	Public Member
Rick Thompson	Registered Architect
Frank Wagster	Registered Architect

The following **Board member** was absent:

Hal Balthrop	Professional Engineer
--------------	-----------------------

The following **Associate Engineer members** were present:

Stephen King	Professional Engineer
Laura Reinbold	Professional Engineer

The following **Associate Engineer member** was absent:

Ricky Bursi	Professional Engineer
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The following **Board staff** was present:

John Cothron	Executive Director
Benjamin Glover	Legal Counsel
Zack Nitzschke	Paralegal
Wanda Phillips	Office Manager
Wanda Garner	Administrative Assistant

The following **guests** were present for part or all of the meeting:

Kasey Anderson, Tennessee Society of Professional Engineers/American Council of Engineering Companies of Tennessee (TSPE/ACEC-TN)

Ashley Cates, American Institute of Architects-Tennessee (AIA-TN)

Chris Gwaltney, P.E., representing the American Society of Civil Engineers (ASCE) Tennessee Section

Kathy Hillegas, Director, Council Relations, National Council of Architectural Registration

**Boards (NCARB)**

Brian T. McCormack, Assistant Commissioner, Division of Regulatory Boards  
Nathan Ridley, American Society of Landscape Architects TN (ASLA-TN)  
Kimberly Whaley, Director of Licensing, Division of Regulatory Boards  
Jared N. Zurn, Director, Examination, NCARB

**CONSENT AGENDA** (attached)

Motion was made by Mr. Wagster and seconded to approve the minutes of the April 14, 2016 meeting. The motion passed unanimously.

Motion was made by Mr. Lockwood and seconded to approve the Complaints for Board Decision. The motion carried unanimously.

**PROFESSIONAL SOCIETY REPORTS**

Kasey Anderson, Ashley Cates and Nathan Ridley reported on the activities of the TSPE/ACEC-TN, AIA-TN and ASLA-TN respectively.

Ms. Anderson announced that the Tennessee Engineers' Conference is scheduled for September 14-16, 2016, and representatives from the Board have been invited to discuss qualifications-based selection. Motion was made by Mr. Lim and seconded to authorize Mr. Campbell and Mr. Cothron to speak at this event. The motion passed unanimously.

**EXAM APPLICATION PROCESS DISCUSSION** (Brian McCormack, Assistant Commissioner)

Assistant Commissioner McCormack discussed a proposal to remove the requirement for the Board to authorize exam applicants to sit for the professional exams. Under this process, individuals would not apply for registration until they have already passed the professional exam. Mr. McCormack explained that this would greatly shorten the time between application and the issuance of a license. Board members noted that some statutes will need changing to accomplish that goal. The engineer members expressed their desire to keep the review of an applicant's experience under their purview, and noted that they would need more information before moving in this direction.

**LEGAL CASE REPORT** (presented by Benjamin Glover) (attached)

- *Case No. 2016007171* *Complaint #201600717*  
Motion was made by Mr. Lim and seconded to leave the case open until the code interpretation issue between the Respondent and the code official is resolved. The motion passed unanimously.
- *Case No. 2016015011* *Complaint #201601501*  
Motion was made by Ms. Ballard and seconded to close the case. The motion passed unanimously.
- *Case No. 2015002041* *Complaint #201500204*  
Motion was made by Mr. Thompson and seconded to suspend the Respondent's Tennessee registration for two years, assess a seven hundred dollar (\$700) penalty, composed of a five hundred dollar (\$500) civil penalty and the two hundred dollar (\$200) filing fee incurred from filing formal charges, and continue to require the Respondent's compliance with his previous Consent Order for probation prior to allowing Respondent's registration to be returned to good standing. The Respondent has agreed to accept these terms, if the Board approves. The motion passed unanimously.

Break 10:40 to 10:55 a.m.

## **DIRECTOR'S REPORT**

Mr. Cothron reported his activities and those of his staff and Board members.

### *Legislative Update*

Mr. Cothron reviewed recent legislation of interest to the Board, including the following:

- SB0556/HB0678 —  
This bill, as introduced, would have phased out the professional privilege tax on persons engaged in certain occupations by annually decreasing it by 20 percent over the next five years. It passed (Public Chapter 1024) with an amendment directing the Tennessee Advisory Commission on Intergovernmental Relations (TACIR) to study and make recommendations relative to the privilege tax by January 1, 2017.
- SB1503/HB1615 —  
This bill, which passed (Public Chapter 610), extends the Board of Architectural and Engineering Examiners four years to June 30, 2020, and establishes a minimum attendance requirement for Board members (must attend at least half of the scheduled meetings in a calendar year).
- SB2535/HB1533 —  
This bill did not pass. It would have allowed the state fire marshal to require and perform field inspections in lieu of requiring review and approval of plans and specifications for construction and alteration of certain buildings or structures, and to charge a fee of no more than \$200 for inspections that were untimely requested.
- HB1726/SB1672 —  
This bill did not pass. As introduced, it would have allowed construction design professionals under contract with certain state agencies to bill and receive payment monthly, and would have specified the services that are included in the basic services fee and the services that would require additional compensation.
- HB2201/SB2469 —  
This bill passed as amended (Public Chapter 1053). It enacts the "Right to Earn a Living Act." The legislation requires licensing authorities to submit entry regulations to the House and Senate Government Operations Committees by December 31, 2016. The committees shall issue a joint report containing findings and recommendations by January 1, 2018. It also establishes a review of regulations as part of the sunset review process to ensure that rules are necessary to protect the public and do not unnecessarily inhibit competition or deny entry into a profession. The Government Operations Committees may request the amendment or repeal of a regulation. Agencies failing to comply with such requests may face suspension of their rulemaking authority.
- HB2569/SB2534 —  
This bill, which passed (Public Chapter 838), amends *Tennessee Code Annotated* § 62-2-304 relative to comity registration requirements for architects. It allows acceptance of architect comity applicants if they hold a license in another jurisdiction and a NCARB certificate, and takes effect on July 1, 2016.

- Section 7, Item 31 of the appropriations bill (SB2653/HB2629) earmarks \$350,000 for the Board's grants program.

*Licensing Data* was presented for informational purposes only. (attached)

*Complaint Data* was presented for informational purposes only. (attached)

*Financial Data* was presented for informational purposes only. (attached)

## **ENGINEER COMMITTEE REPORT**

The Engineer Committee, through Mr. Campbell, reported on topics discussed. The minutes of the Engineer Committee meeting follow these minutes.

## **GRANTS COMMITTEE REPORT**

The Grants Committee, through Ms. Ballard, reported on topics discussed. The minutes of the Grants Committee meeting follow these minutes.

## **ARCHITECT COMMITTEE REPORT**

The Architect Committee, through Mr. Thompson, reported on topics discussed. The minutes of the Architect Committee meeting follow these minutes.

## **UNFINISHED BUSINESS**

- *Action Items* (attached)  
The action items taken from the April meeting were reviewed and the required action had either been taken or is in process.
- *Rules Update*  
Mr. Glover reported that the proposed rules are being reviewed for constitutionality before being filed with the Attorney General's Office.

## **NEW BUSINESS**

- *Officer Elections*  
The Nominations Committee, through Mr. Lim, moved to elect the following as Board officers to serve from July 1, 2016 – June 30, 2017:

Chair – Susan Ballard  
Vice Chair – Frank Wagster  
Secretary – Philip Lim

The motion carried unanimously.

- *2017 Legislative Proposals*  
Motion was made by Mr. Lockwood and seconded to authorize submission of the following legislative proposals:
  - Amend the law to allow architect and landscape architect exam applicants to apply directly to the National Council of Architectural Registration Boards (NCARB) and the Council of Landscape Architectural Registration Boards (CLARB), respectively, to take exams. After passing the exam the candidates would then apply for registration with the Tennessee Board.

- Amend T.C.A. § 62-2-401(a)(1) to state that applicants for engineer registration must have passed the Fundamentals of Engineering (FE) examination (instead of being certified as an engineer intern).
- Amend the law to state that architect and landscape architect applicants will retain credit for exams passed in accordance with the policies of NCARB and CLARB.

The motion carried unanimously.

- *Authorization of Travel and Speakers*  
Motion was made by Mr. Lockwood and seconded to authorize Ms. Reinbold and Mr. Campbell to attend the 2016 NCEES Annual Meeting in Indianapolis as NCEES-funded delegates, and for Messrs. Bursi, Cothron, Glover and Lim to attend as state-funded delegates. The motion carried unanimously.
- *October Meeting Agenda*  
Mr. Cothron reviewed the draft agenda for the Board planning session and meeting at Paris Landing State Park on October 5-7, 2016. This meeting will include a meeting with architectural, engineering, landscape architectural, and interior design educators from across the state.

The meeting adjourned at 11:50 a.m.

#### ATTACHMENTS

Minutes of April 14, 2016 meeting

Complaints for Board Decision

Legal Report

Licensing Data

Complaint Data

Financial Data

Action Items from April 2016 meeting



MINUTES  
BOARD OF ARCHITECTURAL AND ENGINEERING EXAMINERS  
ENGINEER COMMITTEE MEETING  
Davy Crockett Tower  
Nashville, Tennessee  
Wednesday, June 1, 2016

---

**CALL TO ORDER**

In the absence of Committee Chair Hal Balthrop, P.E., Robert Campbell, Jr., P.E., called the Engineer Committee meeting to order at 1:14 p.m. on June 1, 2016, in Room 1-B of the Davy Crockett Tower at 500 James Robertson Parkway, Nashville, Tennessee.

The following **Engineer Board members** were present:

Robert Campbell, Jr., P.E.	East TN Member
Philip Lim, PE	West TN Member
Laura Reinbold	Middle TN Associate Member
Stephen King	East TN Associate Member

A quorum was present.

The following **Board staff** was present for part or all of the meeting:

John Cothron	Executive Director
Benjamin Glover	Legal Counsel
Zack Nitzschke	Paralegal
Wanda Phillips	Administrative Manager

**Visitors present:** Kasey Anderson, Tennessee Society of Professional Engineers/American Council of Engineering Companies of Tennessee (TSPE/ACEC-TN); Brian T. McCormack, Assistant Commissioner, Division of Regulatory Boards.

**NEW BUSINESS**

**APPLICATIONS AND AUDITS FOR DISCUSSION**



- **Eric Russell Jervis** (Exam) – Following discussion, the committee concluded that Mr. Jervis needs more experience under the direct supervision of a professional engineer.
- **Aaron Thomas O’Hern** (Exam) – Mr. Lim requested discussion of this application due to an apparent lack of direct supervision by a professional engineer. Following discussion, committee members agreed to approve the application.
- **Adam Blake Walker** (Exam) – Mr. Campbell requested discussion of this application due to concerns about the applicant’s experience. Following discussion, committee members agreed to approve the application.
- **James F. Brogdon** (Continuing Education Audit) – Mr. King requested discussion of the registrant’s continuing education claim for service on a Tennessee Technological University Advisory Board. The committee concluded that this activity was allowed by Rule 0120-05-.06(2)(i).
- **William McCord** (Continuing Education Audit) – Mr. McCord requested that the committee review his audit to determine the acceptability of his continuing education documentation. The committee concluded that the documentation was not acceptable, with the exception of four (4) hours, and that the registrant would have 180 days to earn other hours to remedy the deficiency.

## APPLICANT INTERVIEWS

The following interviews were conducted by teleconference:

- **Ashish Ghosh** (Comity) – A NCEES evaluation determined that the applicant’s degree is deficient 15 semester hours in mathematics/basic sciences and 12 semester hours in general education. The general education deficiency was remedied by the applicant’s graduate degree and experience, leaving a deficiency in mathematics/basic sciences. At the request of the committee, the educational record was sent to Dr. John W. Smith for evaluation, who determined that he could not properly evaluate Mr. Ghosh’s graduate courses without detailed course descriptions. Following discussion, the committee requested that Mr. Ghosh provide additional information on his graduate courses for Dr. Smith’s review.
- **Asit N. Baxi** (Comity) – A NCEES evaluation determined that the applicant’s degree is deficient 16 semester hours in mathematics/basic sciences and 16 semester hours in

general education. The general education deficiency was remedied by the applicant's graduate degree and experience, leaving a deficiency in mathematics/basic sciences. At the request of the committee, the educational record was sent to Dr. John W. Smith for review, who determined that Dr. Baxi would need to complete one chemistry course and one physics course. Following discussion, a motion was made by Mr. Campbell and seconded to approve the application on the basis that Dr. Baxi's Ph.D. dissertation research adequately addressed any chemistry or physics deficiencies. The motion carried unanimously.

### **ENGINEERING EXAM RESULTS**

Mr. Cothron reviewed the engineering examination results for January-April 2016, and noted that the number of candidates sitting for the Fundamentals of Engineering (FE) exam continues to increase. The committee requested that Mr. Cothron provide data for the schools in future reports.

### **2017 LEGISLATIVE PROPOSALS**

Mr. Cothron noted that T.C.A. § 62-2-401(a)(1) requires that applicants for engineer registration, in addition to the education and experience requirements, be certified as an engineer intern in order to sit for the Principles and Practice of Engineering (PE) examination. Although most states, including Tennessee, certify individuals as engineer interns after passing the FE examination, some states do not offer this certification. Consequently, Mr. Cothron proposed that this section of the law be amended to simply state that applicants for engineer registration must have passed the FE exam, which is the intent of the law as currently written. There were no objections to this proposal.

### **DESIGNATE DELEGATES FOR NCEES ANNUAL MEETING**

Mr. Cothron recommended that the following individuals be designated to attend the NCEES Annual Meeting in Indianapolis, Indiana on August 24-27, 2016:

Robert Campbell, Jr. (NCEES-funded delegate)

Laura Reinbold (NCEES-funded delegate)

Ricky Bursi (state-funded)

Philip Lim (state-funded)

John Cothron (state-funded)

Benjamin Glover (state-funded)

By consensus, the committee agreed with this proposal.

## **UNFINISHED BUSINESS**

### **EXAM APPLICATION PROCESS DISCUSSION**

Assistant Commissioner Brian T. McCormack discussed a proposal to remove the requirement for the Board to authorize engineer applicants to sit for the Principles and Practice of Engineering (PE) exam. Under this process, individuals would not apply for registration until they have already passed the PE exam. The committee requested that additional information be provided before moving forward with this initiative.

### **LICENSING AGREEMENT WITH JAPAN PE/FE EXAMINERS COUNCIL (JPEC)**

Mr. Cothron reported that he has contacted JPEC, and they are interested in establishing an agreement with the Tennessee Board. A representative from JPEC will be in attendance at the NCEES Annual Meeting and will meet with Board members to exchange information.

### **ENERGY SERVICE COMPANIES AND ENGINEERING REGISTRATION LAWS**

Mr. Cothron reported that he has contacted the Georgia Board regarding the Association of Energy Engineers (AEE) and has invited an officer of the Middle Tennessee Chapter of AEE to attend a future committee meeting to discuss the certifications they offer.

Mr. Lim noted that the Tennessee Valley Authority is monitoring the activities of a company named Future Energy Solutions.

**Adjourn.** Mr. Campbell adjourned the meeting at 4:15 p.m.



MINUTES  
BOARD OF ARCHITECTURAL AND ENGINEERING EXAMINERS  
GRANTS TO HIGHER EDUCATION COMMITTEE MEETING  
Davy Crockett Tower  
Nashville, Tennessee  
Thursday, June 2, 2016

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**CALL TO ORDER**

Susan Ballard, Committee Chair, called the Grants to Higher Education Committee meeting to order at 8:12 a.m. on June 2, 2016, in Room 1A of the Davy Crockett Tower at 500 James Robertson Parkway, Nashville, Tennessee.

The following **Board members** were present:

Susan Ballard, R.I.D.  
Philip Lim, P.E.  
Frank Wagster, R.A.  
Susan Maynor, Public Member

A quorum was present.

The following **Board staff** was present:

John Cothron                      Executive Director  
Benjamin Glover                Legal Counsel

**Visitor present:** Chris Gwaltney, P.E., representing the American Society of Civil Engineers (ASCE), Tennessee Section.

**UNFINISHED BUSINESS**

**PROPOSAL FOR USE OF ADDITIONAL GRANT FUNDS**

Members of the committee presented the following suggestions for using additional grant funds:

- Collaborative and interdisciplinary projects.

- Projects involving commercial or practical applications that would benefit the public.
- Research projects.

At the invitation of the Chair, Mr. Gwaltney suggested using grant funds for public service projects involving innovative designs (e.g., a mobile shower unit for the homeless).

Mr. Cothron clarified that approximately \$40,000 out of \$350,000 in grant funds will be available for this purpose in fiscal year 2017. A request to increase the total grants appropriation to \$500,000 will be submitted for fiscal year 2018.

Ms. Ballard noted that the committee will need to develop criteria for proposals, and she suggested that the proposals should be presented anonymously for the Board's consideration.

Mr. Cothron was asked to schedule a special meeting of the Grants Committee by teleconference prior to the August Board meeting in order to develop criteria for proposals.

**Adjourn.** The Chair adjourned the meeting at 8:37 a.m.



MINUTES  
BOARD OF ARCHITECTURAL AND ENGINEERING EXAMINERS  
ARCHITECT COMMITTEE MEETING  
Davy Crockett Tower  
Nashville, Tennessee  
Thursday, June 2, 2016

---

**CALL TO ORDER**

Rick Thompson, Committee Chair, called the Architect Committee meeting to order at 8:38 a.m. on June 2, 2016, in Room 1A of the Davy Crockett Tower at 500 James Robertson Parkway, Nashville, Tennessee.

The following **Board members** were present:

Rick Thompson, R.A., Chair	East TN Architect Member
Frank Wagster, R.A.	West TN Architect Member
Jerry Headley, R.A.	Middle TN Architect Member

A quorum was present.

The following **Board staff** was present:

John Cothron	Executive Director
Benjamin Glover	Legal Counsel

**Visitors present:** Kathy Hillegas, Director, Council Relations, National Council of Architectural Registration Boards (NCARB); Jared Zurn, Director, Examination, NCARB.

**NEW BUSINESS**

**DISCUSS PROPOSED NCARB RESOLUTIONS**

Committee members reviewed the following resolutions to be considered at the 2016 NCARB Annual Meeting:

- Resolution 2016-01—Establishes a Mutual Recognition Arrangement with Australia and New Zealand. At the request of the committee, Kathy Hillegas and Jared Zurn provided clarification on the intent of the resolution.
- Resolution 2016-02—Amends the alternatives to the education and experience requirements in the *Certification Guidelines*.
- Resolution 2016-03—Amends the *Certification Guidelines* to provide exam equivalencies for ARE 5.0 divisions.
- Resolution 2016-04—Updates the five-year rolling clock and rolling clock extension policies in the *Certification Guidelines*.
- Resolution 2016-05—Amends the *NCARB Legislative Guidelines and Model Law/Model Regulations* to allow access to the ARE for students enrolled in an integrated path to architectural licensure option. Ms. Hillegas reported that 14 programs in 11 states are currently participating in the integrated path initiative.
- Resolution 2016-06—Amends the *NCARB Legislative Guidelines and Model Law/Model Regulations* to establish an “Architect Emeritus” status.
- Resolution 2016-07—Amends the *NCARB Legislative Guidelines and Model Law/Model Regulations* to add a new section regarding registration of military personnel.
- Resolution 2016-08—Amends the *NCARB Legislative Guidelines and Model Law/Model Regulations* and *Certification Guidelines* to update the name of the Intern Development Program (IDP), which will be referred to as the Architectural Experience Program (AXP).

Mr. Cothron noted that Resolution 2016-J, which would have amended the *NCARB Legislative Guidelines and Model Law/Model Regulations* to remove references to the titles “intern architect” and “architectural intern,” has been withdrawn based on feedback received from member boards.

- Resolution 2016-09—Amends the *NCARB Bylaws* to update the name of the Internship Committee, which will be referred to as the Experience Committee.

No objections were expressed to the above resolutions.

- Resolution 2016-10—Proposed by Region 6—Amends the *Certification Guidelines* to require a majority vote of member boards to adopt all “substantive programmatic changes” to AXP (IDP), while the Board of Directors may implement changes to address “administrative application” of the AXP requirements. Ms. Hillegas noted that the NCARB Board of Directors is opposed to this resolution, primarily because it would limit the future agility of the Council. The committee, by consensus, agreed with this assessment.



**EXAM APPLICATION PROCESS DISCUSSION**

At Mr. Cothron's suggestion, discussion of the exam application process was deferred until the full Board meeting.

**Adjourn.** The Chair adjourned the meeting at 9:10 a.m.



MINUTES  
BOARD OF ARCHITECTURAL AND ENGINEERING EXAMINERS  
GRANTS TO HIGHER EDUCATION COMMITTEE TELECONFERENCE  
Davy Crockett Tower  
Nashville, Tennessee  
Tuesday, June 28, 2016

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**CALL TO ORDER**

Susan Ballard, Committee Chair, called the Grants to Higher Education Committee teleconference meeting to order at 2:02 p.m. on June 28, 2016. The physical location of the meeting was Room 1B of the Davy Crockett Tower at 500 James Robertson Parkway, Nashville, Tennessee. Executive Director John Cothron announced that the meeting notice was posted to the Board of Architectural and Engineering Examiners website on June 21, 2016.

The following **Board members** were present:

Susan Ballard, R.I.D.  
Philip Lim, P.E.  
Bill Lockwood, R.L.A.  
Frank Wagster, R.A.  
Susan Maynor, Public Member

A quorum was present.

The following **Board staff** was present:

John Cothron                      Executive Director  
Benjamin Glover                Legal Counsel

**STATEMENT OF NECESSITY**

Ms. Ballard read the following statement of necessity into the record:

The Grants to Higher Education Committee (the "Committee") of the Tennessee Board of Architectural and Engineering Examiners (the "Board") will hold a meeting via telephone on Tuesday, June 28th, 2016, beginning at 2:00 p.m. CDT, due to the impossibility of having a quorum of Committee members physically present and the immediate need to address standard Committee business including setting the

parameters for awarding grants to educational institutions for projects for the 2016-2017 fiscal year. The matters to be considered by the Committee at this meeting require timely action by the Committee so that the Committee may present its decisions to the Board at the next Board meeting. Further, physical presence by a quorum of the Committee members is not practical within the period of time requiring action, and participation by a quorum of the Committee members by electronic or other means of communication is necessary.

Bill Lockwood made a motion, seconded by Frank Wagster, to approve the statement of necessity. The motion passed unanimously by roll call vote:

Susan Ballard—Yes  
Philip Lim—Yes  
Bill Lockwood—Yes  
Frank Wagster—Yes  
Susan Maynor—Yes

### **UNFINISHED BUSINESS**

#### **PROPOSAL CRITERIA FOR USE OF ADDITIONAL GRANT FUNDS**

Committee members reviewed and discussed a draft of proposed guidelines and a grants application form prepared by Ms. Ballard.

Philip Lim left the conference call at 2:32 p.m.

Mr. Cothron suggested that the grant guidelines could be approved at the August Board meeting, after which the schools would be asked to submit proposals. The deadline for proposals could be set for October 31, 2016, and the Board could approve the distribution of grant funds at the December 2016 meeting.

Ms. Ballard asked that comments on the proposed guidelines be submitted to Mr. Cothron within two (2) weeks. She requested that a one-hour committee meeting be scheduled in August to finalize the guidelines.

**Adjourn.** Mr. Lockwood made a motion, seconded by Mr. Wagster, to adjourn the meeting. The motion passed unanimously by roll call vote:

Susan Ballard—Yes  
Bill Lockwood—Yes  
Frank Wagster—Yes

Susan Maynor—Yes

The meeting adjourned at 2:42 p.m.

**Board of Architectural and Engineering Examiners**  
**Open Complaints**

	<b>Profession</b>	<b>Complaint #</b>	<b>Received</b>	<b>Allegation</b>	<b>Status</b>	<b>Comments</b>
<b>1</b>	Architect	201202668	12/17/2012	Practice outside area(s) of competency.	Open-Legal	Monitoring compliance with final order
<b>2</b>	Architect	201401761	7/23/2014	Practice outside area(s) of competency.	Open-Legal	Monitoring compliance with final order
<b>3</b>	Architect	201600300	1/21/2016	Disciplined in another jurisdiction.	Open-Legal	Issued consent order
<b>4</b>	Architect	201600717	2/10/2016	Practice outside area(s) of competency.	Open-Legal	Monitoring resolution of codes issue
<b>5</b>	Engineer	201402889	11/12/2014	Practice outside area(s) of competency.	Open-Legal	Litigation monitoring
<b>6</b>	Engineer	2015022177	11/19/2015	Practice outside area(s) of competency.	Open-Legal	Issued consent order
<b>7</b>	Engineer	201601769	3/11/2016	Practice outside area(s) of competency.	Open-Legal	Board member review
<b>8</b>	Engineer	201603529	6/14/2016	Disciplined in another jurisdiction.	Open-Staff	Issued letter of caution
<b>9</b>	Engineer	201603531	5/26/2016	Misconduct; failed to report felony within 60 days.	Open-Legal	
<b>10</b>	Engineer	201603537	6/21/2016	Disciplined in another jurisdiction.	Open-Staff	Issued letter of caution
<b>11</b>	Engineer	201603543	6/24/2016	Disciplined in another jurisdiction.	Open-Staff	Issued letter of caution
<b>12</b>	Engineer	201603960	7/15/2016	Practice on an expired license.	Open-Legal	
<b>13</b>	Eng Firm	201603545	6/24/2016	Disciplined in another jurisdiction.	Open-Staff	Issued letter of caution
<b>Number over 180 days old without "clock stopping" action: 0 (0%)</b>						
<b>Number of formal hearings authorized to be heard by ALJ: 0</b>						
<b>Number of formal hearings authorized to be heard by Board: 0</b>						
<b>Number in Investigations: 0</b>						
<b>Percent on time (clock stopped within 180 days) last 18 months: 98%</b>						

## Action Items (August 2016)

### John Cothron

- Invite an officer of the Middle Tennessee Chapter of the Association of Energy Engineers (AEE) to attend a future Engineer Committee meeting to discuss the certifications they offer. (from April 2016)
- Submit legislative proposals authorized at the June meeting.

### Legal Counsel

- Provide update on legal review of *Reference Manual*, including revised language regarding expert testimony.
- Provide an opinion on the submission of historical data and hourly rates in response to a Request for Qualifications (RFQ).

### Grants Committee

- Develop a proposal and guidelines for the use of additional grant funds.

### Topics for October planning session and meeting:

- Discussion of alternative procurement/delivery methods, including public-private partnerships
- Engineer Committee
  - Elimination of FE exam waiver from law
  - Continuing education uniformity (reporting hours on a calendar year cycle)
  - Outreach to employers like TVA regarding experience requirements for PE registration

# COMMITTEE APPOINTMENTS (2016-2017)

## Committees for Review of Applications



*Architect* Rick Thompson, chair  
Jerome Headley  
Frank Wagster

*Engineer* Hal Balthrop, Chair  
Robert Campbell, Jr.  
Philip Lim,  
Ricky Bursi  
Steven King  
Laura Reinbold

*Interior Design* Susan Ballard, chair  
Jerome Headley  
Hal Balthrop

*Landscape Architect* Blair Parker, chair  
Frank Wagster  
Robert Campbell, Jr.

## Standing Committees

### Grants to Higher Education

Susan Ballard, chair  
Philip Lim  
Bill Lockwood  
Frank Wagster  
Susan Maynor

### Law and Rules/Policies

Rick Thompson, chair  
Robert Campbell, Jr.  
Bill Lockwood  
Susan Ballard  
Laura Reinbold  
Jerome Headley  
Susan Maynor

### Publications (Building Officials' Manual/ Newsletter/Documents)

Steven King, chair  
Ricky Bursi  
Bill Lockwood  
Rick Thompson  
Susan Ballard



"The first order of business is to set a timetable to plan an outline for the agenda."

### Licensure Outreach

Bill Lockwood, chair  
Frank Wagster  
Susan Ballard  
Steven King

### Nominations

Philip Lim, chair  
Rick Thompson  
Susan Ballard  
Philip Lim  
Bill Lockwood

### Finance

Frank Wagster, chair  
Susan Ballard  
Robert Campbell  
Rick Thompson

### Continuing Education

Frank Wagster, chair  
Hal Balthrop  
Bill Lockwood  
Susan Ballard  
Susan Maynor  
Ricky Bursi  
Laura Reinbold

Notice of October 5-7, 2016 meeting of the Board of Architectural and Engineering Examiners.  
Posted to the Board of Architectural & Engineering Examiners' website on \_\_\_\_\_.



**STATE OF TENNESSEE  
DEPARTMENT OF COMMERCE AND INSURANCE  
BOARD OF ARCHITECTURAL AND ENGINEERING EXAMINERS**  
500 JAMES ROBERTSON PARKWAY  
DAVY CROCKETT TOWER  
NASHVILLE, TENNESSEE 37243  
Telephone: 615-741-3221 Fax: 615-532-9410  
Program Website: <http://www.tn.gov/commerce/section/architects-engineers>

**DRAFT AGENDA**

**BOARD OF ARCHITECTURAL AND ENGINEERING EXAMINERS  
NOTICE OF BOARD MEETING**

Paris Landing State Park Inn and Conference Center  
400 Lodge Road  
Buchanan, TN 38222

**Wednesday, October 5, 2016**

**1:00 P.M. INTERIOR DESIGN COMMITTEE MEETING**

CALL TO ORDER – Susan Ballard, Chair

NEW BUSINESS

- Potential Law, Rule, and Policy Changes

ADJOURNMENT

**1:30 P.M. LANDSCAPE ARCHITECT COMMITTEE MEETING**

CALL TO ORDER – Blair Parker, Chair

NEW BUSINESS

- Potential Law, Rule, and Policy Changes
- CLARB Annual Meeting Report

ADJOURNMENT

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Board meetings will be conducted by permitting participation of the Board members by electronic or other means of communication if necessary. Any member participation by electronic means shall be audible to the public at the location specified above. The Department of Commerce and Insurance is committed to principles of equal access.

If you need assistance with attending this meeting due to a disability please contact the Department's ADA Coordinator at (615) 741-0481.



**2:00 P.M. ARCHITECT COMMITTEE MEETING**

CALL TO ORDER – Rick Thompson, Chair

NEW BUSINESS

- Applications and Audits for Review, Discussion and Signature
- Potential Law, Rule, and Policy Changes

ADJOURNMENT

**2:30 P.M. ENGINEER COMMITTEE MEETING**

CALL TO ORDER – \_\_\_\_\_, Chair

NEW BUSINESS

- Applications and Audits for Review, Discussion and Signature
- Potential Law, Rule, and Policy Changes
- Fundamentals of Engineering (FE) Exam Waiver
- Continuing Education Uniformity
- Report on NCEES Annual Meeting
- Outreach to Employers re: Experience Requirements

UNFINISHED BUSINESS

- Energy Service Companies and Engineering Registration Laws

ADJOURNMENT

**6:00 P.M. DINNER**

Paris Landing State Park Inn and Conference Center  
400 Lodge Road  
Buchanan, TN 38222

**Thursday, October 6, 2016**

**8:00 A.M. MEETING WITH ARCHITECTURAL, ENGINEERING,  
LANDSCAPE ARCHITECTURAL AND INTERIOR DESIGN  
EDUCATORS**

- Update on Board Activities (8:00-8:30)
- Update on Programs (8:30-9:30)
- Grants Program Discussion/Presentations (9:30-10:30)

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- Breakout Sessions (10:30-12:00)
  - Architecture/Landscape Architecture/Interior Design
    - Update on NCARB, CLARB and CIDQ Activities
    - Licensure Outreach Discussion
  - Engineering
    - NCEES Update
    - New Engineer Intern Application Process/Online Applications
    - Licensure Outreach Discussion

**12:00 P.M. LUNCH**

**1:00 P.M. LAW AND RULES/POLICIES COMMITTEE MEETING**

CALL TO ORDER – Rick Thompson, Chair

NEW BUSINESS

- Potential Law, Rule, and Policy Changes
- Proposed Bylaws Change
  - Combining Publications and Licensure Outreach Committees into Outreach Committee

ADJOURNMENT

**2:00 P.M. GRANTS TO HIGHER EDUCATION COMMITTEE MEETING**

CALL TO ORDER – Susan Ballard, Chair

NEW BUSINESS

- Distribution of Grant Funds
- Review of Grant Guidelines
- Proposal for Use of Additional Grant Funds

ADJOURNMENT

**2:30 P.M. CONTINUING EDUCATION COMMITTEE MEETING**

CALL TO ORDER – Frank Wagster, Chair

NEW BUSINESS

- Potential Rule and Policy Changes

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ADJOURNMENT

**3:00 P.M. PUBLICATIONS COMMITTEE MEETING**

CALL TO ORDER – Stephen King, Chair

NEW BUSINESS

- Publications Revisions
- Newsletter Articles

ADJOURNMENT

**3:30 P.M. LICENSURE OUTREACH COMMITTEE MEETING**

CALL TO ORDER – \_\_\_\_\_, Chair

NEW BUSINESS

- Licensure Promotion on Campuses
- Meetings with Deans/Program Directors

ADJOURNMENT

**4:00 P.M. FINANCE COMMITTEE MEETING**

CALL TO ORDER – Philip Lim, Chair

NEW BUSINESS

- Review of Financial Data

ADJOURNMENT

**4:30 P.M. DISCUSSION OF ALTERNATIVE PROCUREMENT/DELIVERY METHODS**

**6:00 P.M. DINNER**

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Paris Landing State Park Inn and Conference Center  
400 Lodge Road  
Buchanan, TN 38222

**Friday, October 7, 2016**

**8:00 A.M.**

**BOARD MEETING**

CALL TO ORDER – Susan Ballard, Chair

- Roll Call
- Acknowledge Guests
- Announcements
- Review Agenda for Changes and/or Additions

OPEN FORUM

CONSENT AGENDA – John Cothron, Executive Director

- Minutes from August 2016 Board Meeting
- Staff Complaint Report

PROFESSIONAL SOCIETY REPORTS

LEGAL CASE REPORT – Benjamin Glover

DIRECTOR’S REPORT – John Cothron

- Complaint Data
- Licensing Data
- Financial Data

UNFINISHED BUSINESS – John Cothron

- Action Items

NEW BUSINESS

- Authorization of Travel and Speakers
- 2017 Proposed Travel
- Application/Examination Deadline Dates

COMMITTEE REPORTS

- Interior Design Committee
- Landscape Architect Committee
- Architect Committee
- Engineer Committee

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- Law and Rules/Policies Committee
- Grants to Higher Education Committee
- Publications Committee
- Licensure Outreach Committee
- Continuing Education Committee
- Finance Committee

GENERAL DISCUSSION OF FUTURE PLANS, ACTION ON ITEMS  
DISCUSSED

ADJOURNMENT

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# 2017

## Schedule of Events

- February 3-4—NCEES Board Presidents' Assembly, Atlanta, GA
- February 15-17—Committee/Board Meetings
- March 9-11—NCARB Regional Meeting, Jersey City, NJ
- April 5-7—Committee/Board Meetings
- April 14, 16—Good Friday, Easter
- April 23-26—ACEC Annual Convention
- April 27-29—NCEES Southern Zone Meeting, St. Thomas, Virgin Islands
- April 27-29—AIA National Convention
- May 31-June 2—Committee/Board Meetings
- June 8-11—CMA Music Festival
- June 15-17—NCARB Annual Meeting, Boston, MA
- July 19-23—NSPE Annual Meeting
- August 9-11—Committee/Board Meetings
- August 23-26—NCEES Annual Mtg, Miami, FL
- September 13-16—CLARB Annual Meeting
- September 14-15 (?)—TN Engineers' Conference
- October 4-6—Planning Session/Board Meeting
- October 15-18—ACEC Fall Conference
- October 20-23—ASLA Annual Meeting
- November 10-11—CIDQ Annual Meeting
- December 6-8—Committee/Board Meetings

## State of Tennessee Board of Architectural and Engineering Examiners

<b>January</b> 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	<b>February</b> 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	<b>March</b> 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	<b>April</b> 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
<b>May</b> 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	<b>June</b> 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	<b>July</b> 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	<b>August</b> 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
<b>September</b> 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	<b>October</b> 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	<b>November</b> 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	<b>December</b> 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

## REPORT ON 2016 NCARB ANNUAL MEETING SEATTLE, WA

The following issues were discussed at the NCARB Annual Meeting on June 16-18, 2016:

- Workshops addressed the use of technology in board meetings, the upcoming launch of ARE 5.0, and how the Supreme Court decision in *North Carolina Board of Dental Examiners v. Federal Trade Commission* has impacted state regulatory boards. It was announced that the new ARE 5.0 will launch on November 1, 2016.
- Treasurer David Hoffman shared a multi-year forecast that includes preparation for expected deficits in FY18 and FY19 due to reduced fees and streamlined programs that are expected to reduce overall costs for licensure candidates. Financial reserves will cover the deficit during this period. The forecast shows a return to a balanced budget in 2020.
- Resolutions: Ten (10) resolutions were voted on:
  - Resolution 2016-01—Establishes a Mutual Recognition Arrangement with Australia and New Zealand. A majority of member boards must sign the agreement before it becomes effective on January 1, 2017. This resolution passed 45-8.
  - Resolution 2016-02—Amends the alternatives to the education and experience requirements in the *Certification Guidelines* by eliminating the “Broadly Experienced Architect” (BEA) designation and requiring:
    - Three (3) years of licensed practice in any U.S. jurisdiction with no disciplinary action from any jurisdiction; and
    - Documentation of work experience gained pre-licensure and/or post-licensure, to be verified in accordance with the requirements of the Intern Development Program (IDP) or by an architect familiar with the work of the applicant.
      - Applicants with a 4-year bachelor degree in an architecture-related curriculum must document two times (2x) the experience requirement of the IDP (7,480 hours).
      - Applicants who have 64 or more semester credit hours of post-secondary education must obtain an Education Evaluation Services for Architects (EESA) evaluation and document experience as a licensed architect to satisfy subject areas identified as deficient by the EESA report through a portfolio for peer review (if deficiencies are identified).
      - Applicants with less than 64 semester credit hours of post-secondary education do not require an EESA evaluation and must satisfy all education deficiencies through an education portfolio.
  - This resolution passed 49-5.
  - Resolution 2016-03—Amends the *Certification Guidelines* to provide exam equivalencies for ARE 5.0 divisions. This resolution passed 54-0.

- Resolution 2016-04—Updates the five-year rolling clock and rolling clock extension policies in the *Certification Guidelines*. This resolution passed 54-0.
- Resolution 2016-05—Amends the *NCARB Legislative Guidelines and Model Law/Model Regulations* to allow access to the ARE for students enrolled in an integrated path to architectural licensure option. This resolution passed 52-2.
- Resolution 2016-06—Amends the *NCARB Legislative Guidelines and Model Law/Model Regulations* to establish an “Architect Emeritus” status. This resolution passed 53-1.
- Resolution 2016-07—Amends the *NCARB Legislative Guidelines and Model Law/Model Regulations* to add a new section regarding registration of military personnel. This resolution passed 54-0.
- Resolution 2016-08—Amends the *NCARB Legislative Guidelines and Model Law/Model Regulations* and *Certification Guidelines* to update the name of the Intern Development Program (IDP), which will be referred to as the Architectural Experience Program (AXP). This resolution passed 52-2.
- Resolution 2016-09—Amends the *NCARB Bylaws* to update the name of the Internship Committee, which will be referred to as the Experience Committee. This resolution passed 53-0.
- Resolution 2016-10—Proposed by Region 6—Would have amended the *Certification Guidelines* to require a majority vote of member boards to adopt all “substantive programmatic changes” to AXP (IDP). The NCARB Board of Directors opposed this resolution, which failed by a vote of 19-34.

A resolution that would have amended the *NCARB Legislative Guidelines and Model Law/Model Regulations* to remove references to the titles “intern architect” and “architectural intern,” was withdrawn prior to the meeting based on feedback received from member boards.

- Officer Elections: The following individuals were elected to serve on the NCARB Board of Directors—
  - Kristine Harding (AL), President
  - Greg Erny (NV), First Vice President/President-Elect
  - David Hoffman (KS), Second Vice President
  - Terry Allers (IA), Treasurer
  - Robert M. Calvani (NM), Secretary
  - John E. Cardone, Jr. (LA), Public Director
  - Kingsley Glasgow (AR), Member Board Executive Director

Alfred Vidaurri (TX) continues to serve as the Director of Region 3 (the Southern Conference).

- Future Meetings: The next regional meeting is scheduled for March 9-11, 2017, in Jersey City, NJ. Next year’s annual meeting is scheduled for June 15-17, in Boston, MA.