



MINUTES  
BOARD OF ARCHITECTURAL AND ENGINEERING EXAMINERS  
LANDSCAPE ARCHITECT COMMITTEE MEETING  
Vanderbilt University  
Nashville, Tennessee  
Wednesday, October 4, 2017

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**CALL TO ORDER**

Blair Parker, Committee Chair, called the Landscape Architect Committee meeting to order at 1:05 p.m. on October 4, 2017, in 308 Featheringill Hall at Vanderbilt University, Nashville, Tennessee.

The following **Board members** were present:

Blair Parker, R.L.A.	Chair
Frank Wagster, R.A.	Architect Member

A quorum was present.

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

John Cothron	Executive Director
Wanda Garner	Administrative Assistant
Elizabeth Goldstein	Assistant General Counsel
Wanda Phillips	Administrative Manager

**NEW BUSINESS**

**CLARB ANNUAL MEETING REPORT**

Mr. Parker and Mr. Cothron reviewed a written report on the 2017 Council of Landscape Architectural Registration Boards (CLARB) Annual Meeting (attached).

**POTENTIAL LAW, RULE, AND POLICY CHANGES**

Mr. Parker noted that he is seeking input from the Tennessee Chapter of the American Society of Landscape Architects (TN-ASLA) on a proposal to add definitions of practice and incidental practice provisions to the law.

Robert Campbell, Jr., PE, arrived at 1:16 p.m.

Committee members discussed whether landscape architect applicants should be required to obtain two (2) or three (3) years of landscape architectural experience under the supervision of a registered landscape architect. Currently, the law requires at least “two (2) years of practical experience in an office of a practicing registered landscape architect.” The committee agreed to make no changes to the landscape architect experience requirements at this time.

The committee reviewed proposed changes to the continuing education rules. Significant changes included:

- Adding a provision allowing engineers and landscape architects to obtain continuing education hours on a calendar-year basis.
- Phasing out the carryover hour provision for architects, engineers, and landscape architects by 2021.
- Adding a provision allowing the Board to grant continuing education extensions or exemptions in cases of hardship, such as physical disability or a serious medical condition.

Mr. Parker noted that he is seeking input from TN-ASLA on whether to increase the health, safety, and welfare continuing education requirement for landscape architects to nine (9) hours per year.

The committee expressed interest in exploring a law change to allow for the evaluation of non-accredited landscape architecture degrees and/or acceptance of the CLARB certificate for comity applicants who do not meet the minimum registration requirements of the laws and rules.

**Adjourn.** There being no further business, Mr. Parker adjourned the meeting at 1:32 p.m.

**REPORT ON THE 2017 CLARB ANNUAL MEETING  
BOISE, ID**

*Tennessee A & E Attendees: Blair Parker (Board Member) and John Cothron (Executive Director)*

The following issues were discussed at the CLARB Annual Meeting on September 14-16, 2017:

- The meeting began with a legislative update (including threats to licensure and regulation) and a presentation on growth and diversity in the landscape architecture profession. It was noted that landscape architecture is one of 60 professions regulated in all U.S. jurisdictions. Seven (7) states have recently faced deregulation efforts, and three (3) states (Kentucky, Ohio, and Wisconsin) are facing consolidation/reorganization efforts.
- Member Board Executives (MBEs) discussed best practices in responding to legislative inquiries during the MBE Session.
- Member Board Members (MBMs) discussed board delegation of authority to staff for certain reviews and approvals.
- Attendees participated in a “friction analysis” exercise to identify and assess points of friction in the licensure process. A two-part strategy was emphasized: (1) Prepare for and defend against threats (tactical); and (2) Rethink the licensure framework (strategic).
- Breakout discussion topics included: Creative Ways to Educate Legislators; Empower Your Board by Building Successful Relationships; and Antitrust and How to Avoid It. The antitrust session focused on fallout from the *North Carolina Board of Dental Examiners v. Federal Trade Commission* Supreme Court decision: about two dozen lawsuits, 8 states with executive action, and over 20 states with legislation.
- A resolution to adopt significant changes to the Model Law and Model Regulations passed.
- Attendees discussed proposed changes to the CLARB governance structure, which may result in proposed changes to the Bylaws next year. Recommendations included adding more appointed directors to the Board of Directors, reducing the number of officers by eliminating the Vice President and Secretary positions, and adopting a competency-based model rather than a constituency-based model (i.e., moving away from regional representation on the Board). All candidates would be vetted by the Nominations Committee.
- The meeting concluded with an update on the Landscape Architect Registration Examination (LARE), which included a review of the exam development process and the work of the Exam Committee.
- The following officers were elected: Christine Anderson (CA), President; Phil Meyer (KS), President-Elect; Stan Williams (NC), Vice President; Cary Baird (NV), Treasurer. Chuck Smith (NC) was elected to serve as Region 3 Director.
- The next Annual Meeting is scheduled for September 27-29, 2018, in Toronto, Ontario. Future annual meetings will be held in St. Louis, MO (2019), and New York, NY (2020).



MINUTES  
BOARD OF ARCHITECTURAL AND ENGINEERING EXAMINERS  
ARCHITECT COMMITTEE MEETING  
Vanderbilt University  
Nashville, Tennessee  
Wednesday, October 4, 2017

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**CALL TO ORDER**

Rick Thompson, Committee Chair, called the Architect Committee meeting to order at 1:35 p.m. on October 4, 2017, in 308 Featheringill Hall at Vanderbilt University, Nashville, Tennessee.

The following **Board members** were present:

Rick Thompson, R.A., Chair	East TN Architect Member
Brian Tibbs, R.A.	Middle TN Architect Member
Frank Wagster, R.A.	West TN Architect Member

A quorum was present.

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

John Cothron	Executive Director
Wanda Garner	Administrative Assistant
Elizabeth Goldstein	Assistant General Counsel
Wanda Phillips	Administrative Manager

**Visitors present:** Ashley Cates, representing the American Institute of Architects-Tennessee (AIA-TN); Robert Campbell, Jr., P.E.; Stephen King, P.E.; Blair Parker, R.L.A.

**NEW BUSINESS**

Mr. Thompson noted that applications had been distributed for independent review.

**POTENTIAL LAW, RULE, AND POLICY CHANGES**

Regarding the proposal to add definitions of practice and incidental practice provisions to the law, Ms. Cates noted that AIA supports use of the definition of architecture in the National

Council of Architectural Registration Boards (NCARB) *Model Law*. Mr. Wagster voiced support for including construction observation in the definition of architecture.

A motion was made by Mr. Wagster and seconded to recommend pursuit of legislation to define the practice of architecture, using the NCARB *Model Law* language and Alabama's statutory language as guides. The motion passed unanimously.

The committee reviewed proposed changes to the continuing education rules. Significant changes included:

- Requiring architects to obtain hours on a calendar-year basis, and to obtain all hours in health, safety, and welfare subjects.
- Phasing out the carryover hour provision for architects, engineers, and landscape architects by 2021.
- Adding a provision allowing the Board to grant continuing education extensions or exemptions in cases of hardship, such as physical disability or a serious medical condition.
- Repealing Rule 0120-05-.14 (Alternative Continuing Professional Development Option for Architects and Registered Interior Designers).

At the request of Mr. Wagster, Ms. Cates agreed to seek input from AIA-TN regarding the proposal to require all continuing education hours to address health, safety, and welfare subjects. Ms. Cates noted that AIA currently requires 18 Learning Units a year, 12 of which must address health, safety, and welfare subjects.

Mr. Cothron presented two questions asked by the State Fire Marshal's Office relative to sealing requirements:

- *Should change orders, addenda, and field changes be sealed?*

The committee did not reach a consensus on this question.

- *Should truss drawings be sealed by the truss designer, or is the engineer of record's review stamp sufficient?*

Committee members agreed that truss designers should seal their drawings; a review stamp is not adequate.

**UNFINISHED BUSINESS**

**INTERN TITLING**

Mr. Cothron reviewed the AIA position statement on pre-licensure titling, which supports usage of the titles “Architectural Associate” or “Design Professional” by interns pursuing licensure. According to NCARB, many U.S. jurisdictions prohibit use of one or both titles by unlicensed persons. Many jurisdictions allow the titles “intern architect” or “architectural intern.” Mr. Cothron then referred committee members to a repealed Board policy that allowed use of the title “intern architect” under certain conditions.

Ms. Cates read a memorandum from AIA-TN supporting use of the following titles: Graduate Architect, Associate Architect, Architect-in-Training, and Apprentice Architect.

The committee did not reach a consensus on this issue, and agreed to discuss it further at the Board meeting on Friday, October 6.

**Adjourn.** There being no further business, Mr. Thompson adjourned the meeting at 2:43 p.m.



MINUTES  
BOARD OF ARCHITECTURAL AND ENGINEERING EXAMINERS  
CONTINUING EDUCATION COMMITTEE MEETING  
Vanderbilt University  
Nashville, Tennessee  
Wednesday, October 4, 2017

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**CALL TO ORDER**

Frank Wagster, Committee Chair, called the Continuing Education Committee meeting to order at 2:55 p.m. on October 4, 2017, in 308 Featheringill Hall at Vanderbilt University, Nashville, Tennessee.

The following **Board members** were present:

Ricky Bursi, P.E.  
Blair Parker, R.L.A.  
Frank Wagster, R.A.  
Kathryn Ware, P.E.

A quorum was present.

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

John Cothron	Executive Director
Wanda Garner	Administrative Assistant
Elizabeth Goldstein	Assistant General Counsel
Wanda Phillips	Administrative Manager

**Visitors present:** Kasey Anderson, representing the Tennessee Society of Professional Engineers/American Council of Engineering Companies of Tennessee (TSPE/ACEC-TN); Robert Campbell, Jr., P.E.; Stephen King, P.E.

**NEW BUSINESS**

**POTENTIAL LAW, RULE, AND POLICY CHANGES**

The committee reviewed a draft rulemaking hearing notice with proposed changes to the continuing education rules. Significant changes included:

- Requiring architects to obtain hours on a calendar-year basis, and to obtain all hours in health, safety, and welfare subjects, consistent with the NCARB *Model Regulations*.
- Adding a provision allowing engineers and landscape architects to obtain continuing education hours on a calendar-year basis. The committee agreed by consensus to require at least seven (7) hours in health, safety and welfare (HSW) issues and technical competency under the calendar-year provision instead of stating that a “majority” of the hours must address those issues.
- Phasing out the carryover hour provision for architects, engineers, and landscape architects by 2021. The carryover provision will be retained for registered interior designers.
- Including a provision allowing registered interior designers to obtain continuing education hours on a calendar-year basis, and adding a definition of HSW for registered interior designers. HSW definitions were not added for engineers and landscape architects.
- Adding a provision allowing the Board to grant continuing education extensions or exemptions in cases of hardship, such as physical disability or a serious medical condition.
- Repealing Rule 0120-05-.14 (Alternative Continuing Professional Development Option for Architects and Registered Interior Designers).

A motion was made by Ms. Ware and seconded to recommend adoption of the continuing education rulemaking hearing notice and to hold the rulemaking hearing at the next Board meeting on December 7, 2017. The motion passed unanimously.

**Adjourn.** There being no further business, Mr. Wagster adjourned the meeting at 3:06 p.m.





MINUTES  
BOARD OF ARCHITECTURAL AND ENGINEERING EXAMINERS  
ENGINEER COMMITTEE MEETING  
Vanderbilt University  
Nashville, Tennessee  
Wednesday, October 4, 2017

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**CALL TO ORDER**

The Engineer Committee meeting convened at 3:15 p.m. on October 4, 2017, in 308 Featheringill Hall at Vanderbilt University, Nashville, Tennessee.

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

Ricky Bursi, P.E.	West TN Associate Member
Robert Campbell, Jr., P.E.	East TN Member
Stephen King, P.E.	East TN Associate Member
Philip Lim, P.E.	West TN Member
Kathryn Ware, P.E.	Middle TN Member

A quorum was present.

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

John Cothron	Executive Director
Wanda Garner	Administrative Assistant
Elizabeth Goldstein	Assistant General Counsel
Wanda Phillips	Administrative Manager

**Visitors present:** Kasey Anderson, representing the Tennessee Society of Professional Engineers/American Council of Engineering Companies of Tennessee (TSPE/ACEC-TN); Harold Cannon, P.E.; Chris Gwaltney, P.E., representing the American Society of Civil Engineers (ASCE), Tennessee Section; Jason Patterson; Adam Szczuka.

A motion was made by Mr. Campbell and seconded to appoint Ricky Bursi as Chair of the Engineer Committee. The motion passed unanimously.

**NEW BUSINESS**

## **APPLICATIONS AND AUDITS FOR DISCUSSION**

- **Ihab Habib** (Reapply) – The reapplication was denied by the Board in August 2017, because the applicant did not respond to a complaint filed in 2014 for possible misconduct. The applicant subsequently submitted a response and requested that the Board reconsider his reapplication. A motion was made by Mr. Lim and seconded to re-open the 2014 complaint and place the reapplication on hold pending resolution of the complaint. The motion passed unanimously.
- **Joshua Lewis Hegenderger** (Comity) – Following discussion of the applicant’s educational qualifications, a motion was made by Mr. Campbell and seconded to accept the applicant’s education as an engineering curriculum and approve the application. The motion passed unanimously.
- **Alaa Jaber** (Comity) – The applicant requested that the Board waive the requirement for an official transcript submitted directly from his undergraduate institution in Syria. A motion was made by Mr. Campbell and seconded to accept an unofficial transcript provided by the applicant for evaluation purposes. The motion passed unanimously.
- **Joseph R. Johnson** (Potential Applicant) – Mr. Johnson requested that the Board review his transcript and other documentation to determine if his employment could be counted as cooperative education experience. Following discussion, a motion was made by Mr. King and seconded to not accept the experience as cooperative education experience. The motion passed unanimously.
- **Marlin Jacob Lamb** (Comity) – Following discussion of the applicant’s educational qualifications, a motion was made by Mr. King and seconded to accept the applicant’s education as an engineering curriculum and approve the application. The motion passed unanimously.
- **Jason Travis Patterson** (Exam) – The committee deferred action on this application in August pending research into the history of Rule 0120-01-.10 (Education and Experience Requirements – Engineer). Ms. Ware asked for a summary of that research.

## **UNFINISHED BUSINESS**

### **CREDIT FOR EXPERIENCE OBTAINED PRIOR TO GRADUATION**

Mr. Cothron reviewed the history of Rule 0120-01-.10(2), and noted that prior to 2008 the rule was either silent on the issue of experience credit for experience obtained prior to graduation or specifically allowed partial credit for experience obtained prior to graduation. The law (T.C.A. § 62-2-401) does not address when the experience must be obtained.

Harold Cannon, P.E., and Jason Travis Patterson addressed the committee and requested that the Board amend the rules to allow up to two (2) years of experience credit for engineering experience obtained prior to graduation with the qualifying degree.

Following discussion, a motion was made by Ms. Ware and seconded to recommend that Rule 0120-01-.10 be amended to allow, at the Board's discretion, a maximum of one (1) year of experience credit for three (3) years or more of progressive engineering experience obtained prior to graduation with the qualifying degree, as allowed by the text of the rule adopted in 1980. The motion passed unanimously.

**NEW BUSINESS, cont.**

**APPLICATIONS AND AUDITS FOR DISCUSSION, cont.**

- **Jason Travis Patterson** (Exam) – Following discussion of the applicant's experience, a motion was made by Ms. Ware and seconded to grant one (1) year of experience credit under the cooperative education experience provision and to allow the applicant to sit for the Principles and Practice of Engineering (PE) exam in April 2019. The motion passed unanimously.

**APPLICANT INTERVIEW**

- **Adam Szczuka** (Exam) – Following an interview and discussion of the applicant's experience, a motion was made by Mr. Lim and seconded to approve the applicant to sit for the Principles and Practice of Engineering (PE) exam. The motion passed unanimously.

**APPLICATIONS AND AUDITS FOR DISCUSSION, cont.**

- **Bryan Wickert** (Comity) – Following discussion of the applicant's educational qualifications, a motion was made by Mr. Campbell and seconded to accept the applicant's education as an engineering curriculum and approve the application. The motion passed unanimously.

**OBSERVERS FOR ABET ACCREDITATION VISITS**

Mr. Bursi was designated to serve as the Board observer during the ABET accreditation visit at Union University on October 22-24, 2017, and Mr. Lim was designated to serve as the Board observer at the University of Tennessee at Knoxville on October 29-31, 2017.

### **NCEES ANNUAL MEETING REPORT**

The committee reviewed a written report on the 2017 NCEES Annual Meeting (attached).

### **POTENTIAL LAW, RULE, AND POLICY CHANGES**

Regarding the proposal to add definitions of practice and incidental practice provisions to the law, Ms. Goldstein suggested that she could discuss the proposal with her supervisors to provide legal guidance on the issue.

The committee had no comments on proposed changes to the continuing education rules.

Mr. Cothron presented two questions asked by the State Fire Marshal's Office (SFMO) relative to sealing requirements:

- *Should change orders, addenda, and field changes be sealed?*

The committee agreed with the SFMO conclusion that change orders, addenda, and field changes should be sealed if they change or impact the design.

- *Should truss drawings be sealed by the truss designer, or is the engineer of record's review stamp sufficient?*

Committee members agreed that truss designers should seal their drawings; a review stamp is not adequate.

### **APPLICATION REFERENCES**

Committee members agreed to review the reference form for possible revisions and submit suggested changes or comments to Board staff for discussion at the December committee meeting. Mr. Cothron was asked to send a reminder of this action item to all committee members.

### **UNFINISHED BUSINESS, cont.**

**ELECTRONIC SEALS AND SIGNATURES REQUIREMENTS**

Mr. Campbell reported that he continues to explore and monitor this issue.

**DECOUPLING OF THE EXPERIENCE AND EXAMINATION REQUIREMENTS**

Ms. Anderson, representing TSPE/ACEC-TN, reported that an ad hoc committee is studying the decoupling issue as part of a broader licensing discussion. Mr. Gwaltney reported that ASCE-TN has not yet reached a consensus on decoupling. Ms. Ware stressed the urgency of the matter.

**Adjourn.** There being no further business, Mr. Bursi adjourned the meeting at 6:10 p.m.

**2017 NCEES Annual Meeting Report  
Miami Beach, FL**

*Attendees: Ricky Bursi, Robert Campbell, John Cothron, Elizabeth Goldstein, Kathryn Ware*

- Action was taken on the following significant motions:
  - A Special Committee on Bylaws motion to remove language from the *Bylaws* stating that a treasurer may serve consecutive terms failed.
  - An Education Committee motion to amend Position Statement 35 (Future Education Requirements for Engineering Licensure) to provide a new practice-oriented pathway to obtain additional education beyond the bachelor's degree passed.
  - An Advisory Committee on Council Activities (ACCA) motion to charge a Special Committee on Bylaws with amending the *Bylaws* to state that a person shall be a licensed engineer or surveyor to serve as president-elect or vice-president, and shall be a licensed engineer, licensed surveyor, or public member to serve as treasurer, passed.
  - An ACCA motion to establish a task force to consider the qualifications needed to serve as president-elect, to determine the details of the nomination process (including the potential of reestablishing a Nominating Committee), and to propose a transition plan failed.
  - A Member Board Administrators (MBA) motion to hold a combined regional meeting in 2020 passed.
  - A Western Zone resolution to charge a Special Committee on Bylaws with amending the *Bylaws* to give member boards regulating two professions (both engineering and surveying) two votes, and member boards regulating one profession (either engineering or surveying) one vote, failed.
  - An ACCA motion to amend NCEES policies to require that any exam fee changes proposed by an entity other than the Finance Committee be referred to the Finance Committee for review and revision of the language before it is presented for Council vote at the next annual meeting passed.
  - A Board of Directors motion to charge a Special Committee on Bylaws with amending the *Bylaws* to set a three-year term for treasurer (and eliminating language regarding serving consecutive terms) passed.
  - A Nebraska motion to charge a Special Committee on Bylaws with amending the *Bylaws* to limit emeritus members' eligibility for NCEES committee membership to committees formed within one year of the date from which the emeritus members' board membership ended failed.
  
- Session topics included: Professional Ethics; Understanding Exam Development; Public Relations; Challenges to Licensure; Building Information Modeling (BIM); UAVs in the Surveying Profession; and the Education Leg of the Licensure Stool.
  
- Elizabeth Goldstein and John Cothron attended a law enforcement forum and a comprehensive regulatory workshop led by Dale Atkinson, the Director of the Federation of Associations of Regulatory Boards (FARB).
  
- Officer Elections: Patrick Tami (CA) began his term as 2017-18 NCEES President. James Purcell, P.E. (NJ) was elected to serve as President-Elect. Timothy Rickborn, P.E. (SC) was elected to serve as Treasurer. Bobby Balli of Texas was elected to serve as the Southern Zone Secretary/Treasurer.
  
- Upcoming Meetings: Southern Zone Meeting, Charlottesville, VA, April 19-21, 2018; Annual Meeting, Scottsdale, AZ, August 15-18, 2018.