



# Oregon

**State Board of Examiners for  
Engineering & Land Surveying**

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## EXAMINATIONS & QUALIFICATIONS COMMITTEE

Minutes of Meeting

February 15, 2013

### Members present:

Steven Burger, Chair

James Doane

Sue Frey

Amin Wahab

### Staff present:

Mari Lopez, Executive Secretary

Jenn Gilbert, Executive Assistant

Matt Bryan

Jennifer O'Neill

Joy Pariente

### Others present:

Katharine Lozano, Assistant Attorney General

Carl Tappert (Observer)

Ken Hoffine (Observer)

Sue Newstetter (Observer)

Bob Neathamer

Jim Griffis

Donald Sorenson

John Smith

Afshin Majd

Brian Sullivan

Eric Falken

Martin Sprague

Michael Gipson

Doug Spencer

The meeting of the Examinations and Qualifications Committee meeting was called to order at 9:13 a.m. in University of Phoenix classroom 101 at 670 Hawthorne Avenue SE, Salem, OR 97301, as the conference room of the Oregon State Board of Examiners for Engineering and Land Surveying (OSBEELS) is under construction.

### Application Review

Since the following individuals were in attendance, the Committee went out of agenda order:

*Sorenson, Donald* – The Committee reviewed a reapplication for the Oregon Specific Land Surveying Examination for Mr. Sorenson. It has been two years since Mr. Sorenson last took the examination, during which time he has been doing land surveying-related tasks as part of his employment. His scores on previous examinations had progressively increased. Based on these circumstances, **the Committee recommends the Board approve Mr. Sorenson to take the Oregon Specific Land Surveying Examination in April 2013.**

*Smith, John A.* – The Committee reviewed an application for the Fundamentals of Engineering (FE) examination for Mr. Smith. Mr. Smith's application was lacking education and experience documentation which would qualify him for the examination. He provided a detailed experience record describing 10 years of qualified engineering experience and three references from registered professionals verifying two years and 11 months of qualified engineering experience. He said some of his transcripts and records were destroyed after 25 years. He also has military training and experience which must be accepted after verification by the military and corresponding paperwork must be submitted to OSBEELS. Mr. Smith needs two more years of verified experience to qualify by experience only. Based on these circumstances, the Committee will review the application during the August meeting for the October 2013 examination administration, if additional documentation is submitted.

*Majd, Afshin* – The Committee reviewed an application for registration as Professional Engineer (PE) (electrical) by comity for Mr. Majd. Mr. Majd provided a detailed experience record describing 12 years of experience, verification from the California State Board verifying successful passage of the NCEES 8-hour FE and 8-hour Electrical PE, verification from the New York State Board verifying current registration, and five references verifying three years and eight months of engineering experience. Mr. Majd's degree does not qualify in accordance with OAR 820-010-0225 and 820-010-0227 because it is a foreign degree which has not been evaluated by NCEES. Mr. Majd also does not have a supervisory reference to verify his experience gained in accordance with OAR 820-010-0212(1)(A). Additional documents were requested from Mr. Majd on December 27, 2012, but he did not submit the requested documents within the two week deadline. As a result, the Committee determined that Mr. Majd's application is incomplete and considered withdrawn. He must submit additional references to verify his experience in order to meet the requirements to reapply based on experience or has his degree evaluated by NCEES.

*Sullivan, Brian J.* – The Committee reviewed a reapplication for the PE (Civil) examination for Mr. Sullivan. Mr. Doane recused himself from this discussion, as the applicant previously worked with him. It has been one year since Mr. Sullivan last took the examination. He has cleared his schedule on Fridays to allow himself another dedicated day to study. He has also changed his afternoon session topic to "Construction" because he believes it's a better fit for him than "Traffic." Additionally, he has been using a number of construction study guides to prepare for the April 2013 examination. Based on these circumstances, **the Committee recommends the Board approve Mr. Sullivan to take the PE (Civil) examination in April 2013.**

*Falken, Eric J.* – The Committee reviewed a reapplication for the structural examination for Mr. Falken. Mr. Doane recused himself from this discussion, as the applicant previously worked with him. Mr. Falken last took the examination in October 2012. He has cleared his schedule on Fridays to allow himself another dedicated day to study. He is only taking the lateral portion of the examination, as he has passed the other portions. Based on Mr. Falken passing the first portion of the structural examination and showing evidence of further study, **the Committee recommends the Board approve Mr. Falken to take the lateral component of the structural examination in April 2013.**

*Sprague, Martin* – The Committee reviewed a reapplication for the Oregon Specific Land Surveying examination for Mr. Sprague. Mr. Sprague last took the examination in October 2012. His preparation for the next examination consists of additional studying, continuing education at Oregon State University, workshops, and mentorship from a PLS. Mr. Sprague's examination scores have also increased with each examination. Based on these circumstances, **the Committee recommends the Board approve Mr. Sprague to take the Oregon Specific Land Surveying examination in April 2013.**

*\*Gipson, Michael* – The Committee reviewed a reapplication for the PE (Mechanical) examination for Mr. Gipson. Mr. Gipson last took the examination one year ago. His preparation for the next examination consists extensive studying, including the construction and organization of multiple study materials binders. Ms. Frey said that only one out of 20 students prepare using binders, which is the recommended preparation tool from NCEES. Other than the binders, Mr. Gipson showed little preparation for the examination, despite very low scores being obtained during the previous two examination administrations. Based on these circumstances, the Committee recommends the Board approve Mr. Gipson to take the PE (Mechanical) examination in October 2013.

## **Public Comment**

### **Software Engineering Examination**

Mr. Burger began a public comment period to allow Doug Spencer, PE, to present his petition encouraging OSBEELS to adopt software engineering as a discipline. Mr. Spencer works with infrastructure and sees, first hand, the necessity for software engineering regulation. The software engineering examination has been accepted by NCEES and 10 other state licensing boards. Mr. Spencer believes that software engineering is a field which should be regulated by the state licensing board because of the software involved in critical infrastructure. Currently, the designers of that software are not being regulated. Examples of infrastructure which rely on software are: electrical grids, traffic signals, and public works. Software is an integral part of larger engineered systems. Mr. Spencer said there were hopes for overlaps between other licensed fields which would allow for someone licensed to oversee software development and use, but that hasn't happened. Instead, Mr. Spencer said, unlicensed individuals are performing the work without any licensing board or registered professional oversight. The Committee informed Mr. Spencer that **his petition and associated documents would be considered by the full Board during the March 12, 2013 meeting.** Mr. Spencer was invited to attend that meeting to answer questions and provide further input.

Mr. Burger ended the public comment period and the Committee returned to the agenda sequence.

## **Review of Applications**

### **Comity Applications**

*Eshghi, Mahsa* – The Committee reviewed an application for registration as a PE (Civil) by comity for Ms. Eshghi. Ms. Eshghi provided a detailed experience record describing 12 years of experience, verification from the Washington State Board verifying successful passage of the NCEES 8-hour FE and 8-hour Civil PE, an official transcript demonstrating a master's degree in civil & environmental engineering, and seven references verifying two years and five months of engineering experience gained. Ms. Eshghi's degrees do not qualify in accordance with OAR 820-010-0225 and 820-010-0227 because her bachelor's degree is a foreign degree which has not been evaluated by NCEES and her master's degree does not demonstrate compliance with the completion of 6 of 9 core engineering courses requirement. Ms. Eshghi also does not have a supervisory reference to verify her experience gained in accordance with OAR 820-010-0212(1)(c)(A). Additional documents were requested on October 15, 2012, but she did not submit the documents within the deadline. As a result, the Committee determined that Ms. Eshghi's application is incomplete and considered withdrawn. She must reapply with the degree evaluation or provide PE references for the remaining experience needed.

*Suwada, John* – The Committee reviewed an application for registration as a PE (Civil) for Mr. Suwada. Mr. Suwada provided a detailed experience record describing 12 years of experience, official transcript demonstrating an ABET accredited bachelor's degree in civil engineering, verification from the Illinois State Board verifying successful passage of the 8-hour Illinois State Specific FE examination (1961), verification from the California State Board verifying successful passage of the 8-hour California State Specific PE examination in the Civil discipline (1968), and five reference verifying engineering experience. At the time Mr. Suwada took the Illinois State Specific FE examination, OSBEELS also administered a state-specific FE examination. Neither state has records pertaining to the content of the examinations at that time. AAG Lozano said the Board has to count the FE examination because there's no way to determine equivalency without records. In the matter of the PE examination, OSBEELS had started administering the NCEES examination in 1967, a year before Mr. Suwada took the state-specific examination in California. However, no records of the California State Specific PE examination are available. Again, there is no way to determine equivalency. Ms. Frey pointed out that most PE examinations at that time were similar in depth and breadth. Based on this information, the Committee approved Mr. Suwada's addition to the comity approval list.

*Tatman, Joshua C.* – The Committee reviewed an application for registration as a Professional Land Surveyor (PLS) by comity for Mr. Tatman. Mr. Tatman provided an official transcript demonstrating a certificate in Global Positioning System Technology, an official transcript demonstrating a legacy certificate in Land Surveying Technology and Land Surveying, a detailed experience record describing seven years and nine months of qualified land surveying experience, five references verifying his qualified land surveying experience, a verification from California verifying his successful passage of the NCEES FLS and PLS examinations, correspondence requesting special consideration of his application, and correspondence from staff of the California Board for Professional Engineers, Land Surveyors and Geologists. AAG

Lozano said these letters of recommendation are irrelevant. Mr. Tatman's certificates do not meet the requirements outlines in rule. He is also short of the 12 years qualified land surveying experience required by OAR 820-010-0228(6) and OAR 820-010-0231(1)(a). Based on this information, **the Committee recommends the Board deny Mr. Tatman's application for PLS by comity.**

#### 1<sup>st</sup> Registration

*Ho, Yong Song* – The Committee reviewed an application for registration a PE (Civil) by 1<sup>st</sup> Registration for Ms. Ho. Ms. Ho provided an official NCEES credential evaluation of her degree in civil engineering, a detailed experience record describing five years of qualified engineering experience, five references verifying her qualified engineering experience and an official verification from NCEES verifying the successful passage of the NCEES FE and PE (Civil) examinations. The NCEES credential evaluation found the degree to be deficient six semester hours in general education. AAG Lozano pointed out that the Committee usually waives the general education requirements, within reason, in cases like this. Based on this information, the Committee approved Ms. Ho's addition to the 1<sup>st</sup> registration approval list.

#### Examination Applications

*Barr, Colleen M.* – The Committee reviewed an application for the April 2013 FE examination for Ms. Barr. Ms. Barr provided an official transcript demonstrating a bachelor's degree in physics along with correspondence requesting the Committee consider her education as qualifying and information regarding the completed coursework. Ms. Barr provided descriptions of some of her courses which show the courses meet the requirements established under rule. AAG Lozano said some courses clearly meet the requirements because the titles match the requirements described in rule. Others need course descriptions from the university or college. Mr. Bryan said that applicant-submitted course descriptions have been previously accepted. Ms. Lopez said if the exact course isn't listed, as per the rule, OSBEELS needs course descriptions from the school. Based on these circumstances, the Committee will review the application during the August meeting for the October 2013 examination administration, if additional documentation is submitted.

*Bowers, Bradley J.* – The Committee reviewed an application for a PLS registration by comity for Mr. Bowers. He submitted a detailed experience record demonstrating seven years and seven months of land surveying experience, an official transcript demonstrating coursework from Summer 2006 to Fall 2009, an official transcript demonstrating a bachelor's degree in geophysical environment opt, verification from the Washington State Board verifying successful passage of the NCEES 8-hour FLS and 6-hour PLS examinations, and five references verifying his land surveying experience. Mr. Bowers' transcript doesn't show any of the surveying coursework required by rule and his experience record doesn't demonstrate adequate time to apply by experience only. Based on this information, **the Committee recommends the Board deny Mr. Bowers' application for PLS by comity.**

*Fry, Travis J.* – The Committee reviewed an application for registration as a PE (Electrical) by examination for Mr. Fry. Mr. Fry submitted a detailed experience record demonstrating five years and six months of engineering experience, an official transcript demonstrating an ABET accredited bachelor's degree in electrical engineering, verification from the Washington State

Board verifying successful passage of the NCEES 8-hour FE examination, six references verifying one year and eight months of qualifying electrical engineering experiences, and correspondence requesting special consideration be given regarding professional supervisory references. Ms. Gilbert explained that Mr. Fry has the four years needed to qualify for the examination, but not all of his references are PEs. Based on this information, **the Committee recommends the Board approve Mr. Fry's application for PE (Electrical) examination, as allowed by OAR 820-010-0230.**

*Jewet, Joseph* – The Committee reviewed an application for registration as a PLS by examination for Mr. Jewet. Mr. Jewet submitted a detailed experience record demonstrating 12 years of land surveying experience, verification from the California State Board demonstrating successful passage of the NCEES 8-hour FLS examination, six references verifying seven years and two months of his land surveying experience and correspondence requesting special consideration regarding his references. Mr. Jewet does not have a registered supervisory reference who can verify four years and 10 months of the required 12 years, as outlined in ORS 672.115 and OAR 820-010-0231. One of his references is a letter signed by a group of registrants attesting to land surveying experience completed under individuals who are not any of the signatories of the letter. The signatories had confirmed Mr. Jewet's experience when they hired him for his current position, however, they were not Mr. Jewet's direct supervisors during the time in question. AAG Lozano said it would be unusual to approve verification of a verification versus verification of experience. Ms. Newstetter said these references seem to be going in a circle and would like the applicant to provide actual references for the time in question instead of having someone else verify those verifications. As a result, the Committee determined that Mr. Jewet's application is incomplete and considered withdrawn. He must reapply with the necessary amount of actual references.

*Osman, Eric* – The Committee again reviewed an application for the April 2013 Fundamentals of Land Surveying (FLS) examination for Mr. Osman. During the October 2012 meeting, the Committee asked Mr. Osman to provide additional supporting documentation for review. Mr. Osman provided a transcript demonstrating completed community college coursework and correspondence regarding his inability to provide the remaining requested supporting documentation and a request that the Committee consider his application with the information provided. Mr. Bryan said the transcripts still do not show the classes needed to qualify to sit for the exam. He also said that Mr. Osman did not provide a breakdown of his part-time and full-time experience, as requested. Based on this information, **the Committee recommends the Board deny Mr. Osman's application for the April 2013 FLS examination.**

*Ren, Xincheng* – The Committee reviewed an application for the April 2013 FE examination for Mr. Ren. Mr. Ren provided a transcript demonstrating his master's degree in electrical and computer engineering, a detailed experience record describing one year and six months of verified and qualified engineering experience, five references, and correspondence requesting the committee reduce the number of required PE references. Mr. Ren applied based upon a combination of education and experience. His master's degree does not fulfill the 6 of 9 course requirement outlined in OAR 820-010-0225(3)(d). Mr. Ren was also unable to provide a reference from a supervisory PE who could verify all of his qualified experience. Based on this

information, **the Committee recommends the Board deny Mr. Ren's application for registration for the April 2013 FE examination.**

*Tan, Taide* – The Committee reviewed an application for registration as a PE (Mechanical) by examination for Mr. Tan. Mr. Tan submitted a detailed experience record describing nine years and six months of experience, a transcript demonstrating a master's degree in mechanical engineering and a doctorate in mechanical engineering, verification from the Nevada State Board verifying successful passage of the NCEES 8-hour FE, six references which included two letters supporting his qualifications, and correspondence requesting special consideration. Mr. Tan does not have a degree that qualifies in accordance with OAR 820-010-0225 or OAR 820-010-0227 and he does not have a supervisory reference to verify his experience gained in accordance with OAR 820-010-0212(1)(A). No evidence of a bachelor's degree was provided and his master's and doctorate only demonstrate 3 of 6 course requirements noted in rule. Based on this information, **the Committee recommends the Board deny Mr. Tan's application for registration as a PE (Mechanical) by examination.**

*Vincent, Edward F.* – The Committee reviewed an application for registration as a PLS by comity for Mr. Vincent. Mr. Vincent provided a detailed experience record demonstrating 12 years of engineering experience, verification from the Washington State Board demonstrating successful passage of a PLS 16-hour examination (1979), verifications from Nevada, Alaska, Arizona, New Mexico, and Utah State Boards verifying current registration, and six references verifying his land surveying experience. Much like in Mr. Suwada's case, neither a board from another state nor OSBEELS has examples of state-specific examinations given during that time period. Therefore, there is no way to determine examination equivalency. Based on this information, **the Committee recommends the Board approve Mr. Vincent's application for registration as a PLS by comity.**

*Wilson, Jonathan D.* – The Committee reviewed an application for the April 2013 Fundamentals of Engineering (FE) examination for Mr. Wilson. Mr. Wilson provided a transcript demonstrating a master's degree in electrical engineering, a transcript demonstrating a bachelor's degree in mathematics, and correspondence regarding his education and a request that the committee consider his education as qualifying. Like Ms. Barr, Mr. Wilson self-evaluated a number of his courses to reach the 6 of 9 requirement outlined in OAR 820-010-0225(3)(d). OSBEELS needs course descriptions from the university to accurately determine if Mr. Wilson meets the requirements. Based on these circumstances, the Committee will review the application during the August meeting for the October 2013 examination administration, if additional documentation is submitted.

### Reapplications

The Committee reviewed reapplications from those who did not achieve a passing grade on their previous examinations. As stated in OAR 820-010-0465, these applicants were required to submit valid evidence of further preparation. Evidence reviewed consisted of additional experience gained, special training or courses taken, and study materials reviewed.

**Of the 19 remaining reapplications reviewed, the following 13 individuals are recommended by the Committee to be admitted to the April 2013 examination administration:**

**Gordon Adrian II**

**Brian Duvall**

**Anthony Houk**

**Maria Rivero Gore**

**Brian Sullivan**

**Jason Carver**

**Eric Falken**

**Paul Kohn**

**Joseph Russell**

**Martin Cooper**

**Kareem Hill**

**Ernie Martinez**

**Martin Sprague**

Further evidence of preparation provided to the Committee did not demonstrate adequate preparedness for six applicants. As a result, the Committee recommends to the Board that the six applicants continue to prepare for the October 2013 examination administration.\*

### **Continuing Professional Development Audit**

#### **Grace Period**

Grey Lerner and Rick Riper have both requested grace periods, as provided by OAR 820-015-0026. Mr. Lerner has no PDHs to claim for the July 1, 2011 through June 30, 2012 renewal cycle. Mr. Riper was short by less than 15 PDHs and submitted a completed CPD Organizational Form with his renewal and grace period request. AAG Lozano pointed out that these are two different situations based on how the rule applies to them. For individuals who are within 15 PDHs of compliance, a grace period can be requested, as per rule. If the individual does not complete the missing hours within the grace period, their license is suspended. Ms. Lopez asked if a registrant's status during the grace period is active or delinquent. AAG Lozano said, if the grace period is granted, the registration is active because the registrant is showing active attempts towards compliance. Based on this information, the Committee recommends the Board grant a 1-year grace period to Mr. Riper. **The Committee requests that the full Board be involved in a decision regarding Mr. Lerner's situation, as a case like this hasn't been handled before and is, therefore, precedence setting.**

**Staff Update:** During email discussion with AAG Lozano it was discovered that the delegation to Staff to approve grace periods for individuals missing 15 or fewer PDHs (granted September 11, 2012) will still be active under the proposed OAR 820-015-0026, which is scheduled to be reviewed at the March 2013 Rulemaking Hearing.

### **Appeals in Progress**

#### **Poe, Andrew**

The final appeal was received from the examination coordinator. The Committee reviewed the correspondence. Staff will process the appeal as soon as possible. There was no discussion.

The meeting adjourned at 12:20 p.m.

*\* A Special Meeting of the Board was held on February 25, 2013 to discuss the six individuals who were recommended for the October 2013 examination administration. Minutes are available from that meeting.*