

**General Session Minutes
State Board of Registration for Professional Engineers
January 18, 2011**

The State Board of Registration for Professional Engineers met in their offices at 300 Capitol Street in Charleston, WV on Tuesday, January 18, 2011. Those present for all or part of the meeting were:

Edward L. Robinson	President
William E. Pierson	Vice-President
Bhajan S. Saluja	Secretary
Leonard J. Timms	Member
Lesley L. Rosier-Tabor	Executive Director
Don W. Johnson	Board Investigator
Debra L. Hamilton	Legal Counsel

The meeting was called to order at 9:10 AM. The Board was informed that, upon written motion by counsel for Respondent, the presiding officer (Mr. Robinson) continued the hearing on complaint C2009-11, and the agenda was adjusted accordingly.

The Board meeting minutes for November 15, 2010 (both executive and general session) were reviewed. A motion to approve the minutes was made by Mr. Timms, seconded by Mr. Saluja. Motion carried.

The Board budget summaries for November and December were received and reviewed. The detailed purchasing card expenditures were also received and reviewed. A motion to approve the current expenditures and purchasing card transactions was made by Mr. Saluja, seconded by Mr. Pierson. Motion carried.

Ms. Rosier presented the Executive Director's report and addressed all Board questions and comments. Ms. Rosier discussed her participation in recent events and presentations made by her to various groups since the last Board meeting. She also reviewed the office's schedule of upcoming activities. A motion was made by Mr. Timms, seconded by Mr. Pierson, to approve attendance and travel for staff activities outlined in the Executive Director's report and updated 2011 calendar of events.

The October 2010 exam results were discussed. First time pass rates improved for both FE and PE candidates, with FE pass rates approaching the national average. First time pass rates for PE candidates was 60.5% and 33.3% for repeat takers. First time pass rates for FE candidates was 67.1% and 26.3% for repeat takers. Detailed exam statistics have not been received from NCEES, but Ms. Rosier anticipates they will be available for the March Board meeting.

The deadline to register for the April 2011 exam was January 8, 2011. Sixty candidates have applied and been approved to sit for the upcoming PE exam. The FE exam applicant approvals are still being conducted. A number of Educational Plans of Study were required to be submitted by FE and PE exam candidates in order to sit for the April 2011 exams. Only five (5) FE examinees required interviews prior to obtaining Board approval to sit for the April exam. These interviews were completed during an afternoon recess of this Board meeting.

The continuing professional competency PDH audit was completed in early December. A total of 401 registrants were audited including staff and Board members. A total of seventeen PE licenses were invalidated as a result of the audit. Details regarding the 2010-2011 Renewal season and Audit outcome will be included in the 2011 edition of the Board newsletter to be printed later this month.

Mr. Timms moved to enter into Executive Session at 9:45 AM, seconded by Mr. Pierson. Motion carried.

The Board recessed the meeting in Executive Session at 11:00AM for an informal conference on complaint C2010-19 requested by the respondent.

After completion of the informal conference, the Board reconvened the meeting in Executive Session at 1:00 PM.

At the conclusion of the Executive Session, Mr. Timms moved to enter into General Session with a second by Mr. Saluja. Motion carried and the Board then took the following actions:

1. The Board directed counsel to re-notice the hearing for complaint C2009-11 for the March Board meeting if a settlement agreement is not signed by mid-February.
2. A motion was made by Mr. Saluja, seconded by Mr. Timms, to revoke the license of the respondent in complaint C2009-12 for non-compliance with the Consent Order, which motion will be affirmed and take effect immediately at the March Board meeting. Motion carried. Counsel was directed to prepare correspondence to the respondent of this Board action.
3. A motion was made by Mr. Saluja, seconded by Mr. Timms, to dismiss complaint C2011-03. Motion carried.
4. Mr. Timms moved that inquiry I2011-05 be received and filed as a Board-initiated complaint. Motion was seconded by Mr. Pierson and carried.

Based on a motion by Mr. Pierson, seconded by Mr. Timms, the Board took the following actions on Special Cases for Board Action:

1. Isabel C. Cardona request for EI certification was denied at this time, awaiting additional explanation from WVU administrators regarding her Master's degree or an acceptable foreign degree evaluation of her undergraduate degree.
2. Michael G. Bashikhes' request for comity was approved.
3. Larry D. Caswell's request for comity was approved.
4. Timothy K. France's request for comity was approved.
5. James R. Hutton's request for comity was approved.
6. Nazar A. Sabti's request for comity was approved.
7. Michael Spurlock's request for comity was approved.

The Board recessed the meeting at 2:00PM, in General Session, to conduct Educational Plans of Study interviews of five (5) FE exam candidates.

After completion of the interviews, the Board reconvened the meeting, in General Session at 3:45PM.

Mr. Timms reported on his recent activities as the NCEES President:

1. His heavy travel schedule as NCEES President is underway including the upcoming Board President's Assembly, NCEES Board of Directors meetings, NCEES committee meetings and Zone meetings.
2. Requests for 2011-2012 committee interests are being sought. Interested Board members or staff need to complete the online survey and also contact NCEES to indicate your interest in continuing a currently committee assignment.

Ms. Rosier discussed the Northeast Zone "Enny" Awards. To date, three (3) applications have been received. Nominations are due no later than March 30, 2011.

The WV Board has two funded delegate slots for the May 2011 Northeast Zone meeting in Annapolis, Maryland. Mr. Pierson made a motion for Ms. Rosier and Mr. Johnson to utilize the funded delegate slots to attend the meeting. Motion was seconded by Mr. Saluja and carried.

The new NCEES Education Standard was discussed. The current educational path of a non-ABET accredited degree coupled with a MS or PhD in Engineering from a school whose undergraduate program in that area is ABET-accredited raises some concerns with some Board members. The Board would like staff to begin researching the pros and cons of requiring individuals in this situation to utilize the NCEES Educational Evaluation Service to determine if their educational background is satisfactory and found to be of a high quality essentially equal to those curricula which are accredited by ABET. The Board requested staff and counsel to draft a policy for their review which would require applicants with non-EAC/ABET degrees to be evaluated by NCEES before approval by this Board.

The Board directed staff and counsel to keep them apprised of rule-making changes and legislation during the current legislative session that might be of interest to the Board. Ms. Cofer prepared a template on how the legislature wants to see future code revisions. To date, limited work has been done on drafting the code revisions to conform with the new format.

The Board discussed the tentative plans for participation in the 2011 WV EXPO. The Board is registered as an EXPO exhibitor and once again has a one-page ad in the EXPO program to serve the engineering community need for a continuing education (professional development hour) reporting form. Preparations are underway to conduct a two (2) hour seminar on engineering licensure which will include a joint session with the WV Society of Professional Engineers honoring our successful 2010 WV FE and PE examinees.

Ms. Rosier requested that all changes to the draft newsletter be submitted as soon as possible. The newsletter is due to be printed by the end of January and disseminated in early February. Ms. Rosier also reported that the WV PE Board Annual Report was submitted to the appropriate authorities on schedule.

The WV Division of Personnel has requested that all state employees complete a Job Content Questionnaire (JCQ) as part of the PLANS project. Based on the feedback received during the 2010 required Licensing Board Training and follow-up WV Licensing Board Association Meeting conducted on December 1, 2010, the majority of Boards are not participating per the AG opinion which stated the policy only applies to civil service employees, not exempt employees who staff most Board offices. The Board recommended staff to complete the questionnaires at their convenience but hold them unless formally requested of all Boards by the WV Division of Personnel.

The next Board meeting is scheduled for Tuesday, March 22, 2011. The meeting will take place in the Board offices at 300 Capitol Street in Charleston, WV.

Upon motion by Mr. Pierson, seconded by Mr. Timms, the meeting adjourned at 4:30 p.m. The Board members will be compensated one day per diem plus travel expenses.

Edward L. Robinson, P.E.
Board President

Bhajan S. Saluja, P.E.
Board Secretary