

MINUTES

STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS

Meeting held
Thursday, July 16, 2009

Indiana Government Center South
402 West Washington Street, Rm. W072
Indianapolis, Indiana

I. CALL TO ORDER

Mr. Downey called the meeting to order at 8:35 a.m. in 402 West Washington Street, Room W072, Indianapolis, Indiana and declared a quorum in accordance with IC § 25-31.

Members Present:

Mark Downey, Chairman
John Sauer
Ken Spaulding
John Beery
Harold Snead

Members Not Present

Jim Erb, Vice- Chairman
Vincent Drnevich

Staff Present:

Crystal Heard, Assistant Board Director, Indiana Professional Licensing Agency
Rebecca Tinsley, Case Manager, Indiana Professional Licensing Agency
James Schmidt, Board Advisor, Office of the Attorney General

II. ADOPTION /AMENDMENTS TO THE MINUTES OF MAY 21, 2009

Board Action: A motion was made to adopt the agenda.

Berry/ Snead
Motion carried 5/0/0

III. REPORT REGARDING CONSUMER COMPLAINTS FROM THE OFFICE OF THE ATTORNEY GENERAL By Liaison for the Board

John spoke on the proposed settlement on Robert Chi. He also reported that the AG office averages 2-3 complaints a month.

IV. PERSONAL APPEARANCES

9:00 a.m.

- A. Presentation by Eva-Angela Adan, Director
Center for Professional Engineering Education Services

Ms. Adan, reviewed the academic requirements for non-Abet degrees. The intended purpose of CPEES is to review all programs to determine whether the degrees are legitimate. The program does use the ABET criteria when evaluating foreign transcripts. The service is self managed by they applicant. Once the report is complete it is sent electronically to the board and a hard copy is sent to the applicant on safe paper. Fees for CPEES are as follows: \$400

for activation \$75 reactivation. There are seven (7) Professionals with experience in foreign evaluations, with languages in Arabic, Spanish, German, and Polish. The service turn around time is 15 working days once required documents are received, transcripts, official degrees/diploma; official descriptions of courses; and payment.

B. Constance Wingard Emerson

Board Action: A motion was made to issue the reinstatement pending the passing of the PE exam.

Beery/Spaulding
Motion carried 5/0/0

V. **PETITIONS FOR REVIEW**

A. Christopher Rockey

Board Action: The petition for review was granted and the matter was set for a hearing.

Beery/Snead
Motion carried 5/0/0

VI. **ADMINISTRATIVE HEARINGS**

A. **In the Matter of Robert Chi**

Administrative Cause No.: 09-06

Re: Final Hearing/Motion for Voluntary Surrender

Petitioner offered a settlement to voluntarily surrender his license.

Board Action: A motion was made to accept the withdrawal of the petition.

Sauer/Snead
Motion carried 4/0/1 (Beery abstained)

B. **In the Matter of Brandon Morgan**

Administrative Cause No.: 09-04

Re: Final Hearing

Parties Present:

Mr. Morgan was present without counsel

The State of Indiana was not present as this is an application matter.

Board Members Present:

Mark Downey, is the hearing officer

John Sauer

Ken Spaulding

John Beery

Harold Snead

Case Summary: Mr. Morgan was denied admittance to the FE exam due to academic deficiencies.

Mr. Morgan submitted the follow exhibits to prove he meets the current educational requirements.

Exhibit 1 exam from 221

Exhibit 2 Field in engineering training program syllabus

Exhibit 3 course description

Exhibit 4 course description of 22100/ 22200

Exhibit 5 course description 15300/ 15400

Board Action: A motion was made to deny admission to the FE exam.

Sauer/Spaulding
Motion carried.5/0/0

VII. CONSIDERATION OF ADMINISTRATIVE LAW JUDGE ORDERS

None

VIII. DELIBERATIONS AND POSSIBLE ISSUANCE OF FINAL ORDER

None

IX. PROPOSED DISMISSAL

None

X. DISCUSSION ITEMS

- A. Statute and Rules**
Re: Possible Modifications

Discussion was held regarding a possible modification to the rule of Electronic Signatures. To establish a rule for having proper procedures in place if a professional is using electronic signatures

- B. Goal Setting**
Re: Board Goal Setting

1. Foreign Evaluations: By CPEES

Non ABET degrees and foreign evaluations should go through CPEES (to be discussed at another time)

- C. Mark Thompson**
Re: Review of receipt of delivery notices

Board Action: A motion was made that Mark Thompson has met the terms of his probation and needs to submit in writing his request to be withdrawn from probation and once that is received he is to be scheduled for a hearing.

- D. Donald Schaefer**

Board Action: A motions was made to reinstate his license

Snead/Sauer
Motion carried 5/0/0

- E. Electronic Signatures**
Re: INDOT

Tiffany, the staff attorney from INDOT came before the board to address the need of using electronic signatures. A discussion was held amongst board members regarding how they use

electronic signatures and seals. Greg requested that the board give a written approval on language in the training manual. Mark Downey deferred to Jim Schmidt as to whether or not the board can give written approval. INDOT was referred to Electronic Signatures Act in chapter 26.

- F. Chris Gwaltney
Re: Emeritus status

Board Action: A motion made to give Chris Emeritus Status with the Indiana Board.

Sauer/Snead
Motion carried 5/0/0

- G. PE and FE Exams
Re: Proctoring of out of state candidates (NCEES)
Email from Susan Whitfield

Board Action: No action was taken at this time. The board wants to have Jim and Angela check into why NCEES no longer wants Proctoring, while they are in Louisville at the Annual Conference. The email sent to the board was not compelling.

XI. CORRESPONDENCE

None

XII. PERMIT/LICENSURE APPLICATIONS

A motion was made and seconded to approve all recommendations and decisions made by the Board members on applications for licensure that were reviewed throughout the Board meeting.

Beery/ Snead
Motion carried 5/0/0

XIII. BOARD DIRECTOR'S REPORT

None

XIV. ADJOURNMENT

There being no further business and having completed its duties, the meeting of the State Board of Registration for Professional Engineers adjourned at 2:49 p.m.



Mark Downey – Chairperson
State Board of Registration for Professional Engineers

9-17-09
Date