



Oregon

STATE BOARD OF EXAMINERS
FOR ENGINEERING &
LAND SURVEYING

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EXAMINATIONS & QUALIFICATIONS COMMITTEE

Minutes of Meeting
December 11, 2015

Members present:

Shelly Duquette, Chair
Chris Aldridge
Logan Miles
Oscar Zuinga

Staff present:

Mari Lopez, Board Administrator
Jenn Gilbert, Executive Assistant
Jennifer O'Neill, Social and Communications Media Specialist
Danee Vig, Registration Specialist
Brianna Weekly, Registration Specialist

Others present:

Katharine Lozano, Assistant Attorney General
Michael Hardy, PE, Professional Engineers of Oregon

The meeting of the Examinations and Qualifications Committee (EQC) was called to order at 9:42 a.m. in the OSBEELS Conference Room at 670 Hawthorne Avenue SE, Suite 220, Salem, OR 97301.

Public Comment

There was no public comment.

Unfinished Business

There was no unfinished business.

New Business

EAC Criteria changes

The EQC reviewed an email from Jerry Carter, Chief Executive Officer for National Council of Examiners for Engineering and Surveying (NCEES), regarding the changes to the Engineering Accreditation Commission (EAC) criteria. A brief discussion was held on the documentation provided in the packets. However, not all the members were able to view the web pages. Since Chair Duquette was able to view the web pages and did review them, she mentioned that she

could provide in-depth information during the next Board meeting for all the members. There was no further discussion.

“Teaching” as engineering, land surveying, photogrammetric work

The EQC reviewed a comment from the Professional Engineers of Oregon (PEO) regarding Oregon Administrative Rule (OAR) 820-005-0035, Engineering Work. More specifically, PEO submitted the concern that an individual could have their “engineering work” requirements fulfilled by teaching only one credit of the same basic engineering prerequisite class for four years and have no other experience. Staff also provided the EQC with definitions of OAR 820-005-0050, Land Surveying Work and 820-005-0065, Photogrammetric Work for consideration. After a brief discussion, AAG Lozano proposed the EQC consider adding “may” to each definition and to include “at the discretion of the Board,” and that the process would then be for the committee to review teaching credits claimed, on a case-by-case basis. It was moved and seconded (Aldridge/Zuniga) to recommend to the Board to begin the Rulemaking process to amend OAR 820-005-0035, 820-005-0050 and 820-005-0065 as revised. The motion passed unanimously. There was no further discussion.

Letter of concern

During the September 2015 Board meeting, staff was directed to draft a letter of concern that could be sent to employers of applicants who include title violations on information submitted with their applications. The EQC reviewed and found no issues with the draft letter provided by staff. There was no further discussion.

Discuss substantial equivalency for the 16-hour NCEES Examination

The EQC reviewed a memo from staff regarding the history of the structural examinations that OSBEELS required for registration. Under the new rules, as a result of the passage of Senate Bill 297-A (SB 297-A), applicants must have passed the NCEES 16-hour structural examination as a requirement to become registered as a structural engineer in Oregon. AAG Lozano stated that under the new law that became effective June 25, 2015, OSBEELS no longer issues applicants a structural registration based on the substantial equivalency of the structural examinations an applicant passed at the time of initial registration. However, she informed the EQC that if they would like to continue considering applicants based on the substantial equivalency of structural examinations, as OSBEELS had prior to the change in statute, that language will need to be added to OAR 820-010-4000. It was moved and second (Aldridge/Duquette) to recommend to the Board to begin the rulemaking process to amend OAR 820-010-4000 as revised. The motion passed unanimously. There was no further discussion.

Review of Applications

Brian Crump

Mr. Crump submitted an application for registration as a civil engineer. He provided official verification of having passed the NCEES Structural I examination. However, the Structural I examination is not one of the NCEES-examined branches of professional engineering recognized by the Board. The EQC noted that during a previous meeting of the Board it was determined that the NCEES Structural I and the NCEES Civil examinations are not substantially equivalent. As a result, it was moved and second (Duquette/Zuniga) to place Mr. Crump’s name on the

denial recommendation list for the January Board meeting. The motion passed unanimously. There was no further discussion.

Michael Kalina

Mr. Kalina submitted an application for registration as a professional land surveyor. He provided an NCEES credentials evaluation of his education which demonstrates deficiencies in 30 semester credit hours in surveying science and practice; however, he had nine years and one month of qualifying experience. Applying the Education/Experience Matrix, it was moved and second (Zuniga/Miles) to place Mr. Kalina's name on the registration approval list for the January Board meeting. The motion passed unanimously. There was no further discussion.

Andrew Lane

Similar to Brian Crump, Mr. Lane submitted an application for registration as a civil engineer. He provided official verification of having passed the NCEES Structural I examination. It was moved and second (Duquette/Zuniga) to place Mr. Lane's name on the denial recommendation list for the January Board meeting. The motion passed unanimously. There was no further discussion.

Andre Mozaffari

Mr. Mozaffari submitted an application for registration as a civil engineer. Staff provided the EQC with the violation report found through the NCEES Enforcement Exchange and informed the EQC that Mr. Mozaffari also checked "No" when asked, "Have you ever had a professional engineering, land surveying or photogrammetric mapping registration denied, revoked, suspended, surrendered, stipulated, on probation, or been subject to any restriction or disciplinary action in any jurisdiction?" The EQC discussed the negligence and incompetence violations Mr. Mozaffari committed in another jurisdiction, in addition to the untruthfulness in his application. It was moved and second (Zuniga/Duquette) to place Mr. Mozaffari's name on the denial recommendation list for the January Board meeting. The motion passed unanimously. There was no further discussion.

Karthic Vuppaladhafyam Rathnam

Mr. Vuppaladhafyam Rathnam submitted an application for registration as a mechanical engineer. He provided an NCEES credentials evaluation of his education which demonstrates deficiencies in 12 semester credit hours in general education. However, he had nine years of qualifying experience. Applying the Education/Experience Matrix, it was moved and second (Duquette/Miles) to place Mr. Vuppaladhafyam Rathnam's name on the registration approval list for the January Board meeting. The motion passed unanimously. There was no further discussion.

Thomas Wythes

Staff removed Mr. Wythes application from the agenda, due to additional information needed. There was no further discussion.

Informational

Pearson Vue Data Breach

The EQC reviewed and briefly discussed their concerns regarding the email received from Jerry Carter, Chief Executive Officer for NCEES, regarding a recent breach of the Pearson VUE Credential Manager system. Mr. Carter, did however, inform member boards that NCEES does not utilize the Pearson VUE Credential Manager system. There was no further discussion.

Contested Case Status

Staff informed the EQC that through discussion with Will Steinhauff, he stated that he will be withdrawing his request for hearing. Mr. Zuniga noted that the deadline for all individuals fell on a holiday. AAG Lozano clarified that holidays are not considered per statute and the deadline would fall on the day after. There was no further discussion.

Files Subject to Monitoring

There was no discussion.

The meeting adjourned at 10:45 a.m.