Open Minutes

State Board of Professional Engineers

Date: March 28, 2019
Convened: 10:02 am
Adjourned: 1:21 pm
Location: Chicago Office

Members Present: James P. Schlichting, Chair
L. Duane Yockey, Vice-Chair
Brian Berg Jr, Member
Christy Crites, Member
Gale Jamison, Member
Philip Kunz, Public Member
Richard M. Ray, Chair
John M. Whitt, Member

Member(s) Absent: Kevin Burke III, Member
Sean Middleton, Member

Staff Present: Kyle Lazell, Design Licensing Manager
Chau Nguyen, IDFPR General Counsel
Eduardo Fernandez, IDFPR Prosecuting Attorney
Richard Schultz, IDFPR General Counsel

Guests Present: Bud Hurley, NSPE
Kim Robinson, ISPE

Open Session: The Meeting was called to order at 10:02 am.
The Board Members present constituted a quorum of the Board.

I. Announcements, Correspondence, Guest comments

Mr. Schlichting thanked everyone for attending and welcomed Ms. Crites to the Board and asked if she would introduce herself.

Ms. Crites stated that she has over 22 years of Professional Engineering experience and works at Crawford, Murphy and Tilly in Springfield, Illinois and looks forward to being on the Board.

II. Review of Open Minutes

The Board reviewed the Minutes of the January 24, 2019 meeting.

Motion was made, seconded (Yockey/Whitt) and passed to accept the open minutes of the meeting as amended.
III. Old Business

A. NCEES Exam Admin. Services Update

Mr. Lazell informed the Board that he received information from NCEES regarding the availability to utilize their services in place of Continental Testing Services. He indicated that further department research and discussions would need to take place in order for the Department to move forward.

B. Act/Rules Update

Mr. Nguyen shared that the sunset Statute draft has been submitted and filed – SB 0654 amendment # 1.

The department mostly made procedural changes however there are a few major items that were included:
- Removal of the TOEFL-iBT exam requirement (will remain in the administrative rules)
- Adds a “10-year experience” option for Endorsement applicants

Mr. Jamison said he has reservations regarding the “10-year option” especially when there are applicants who have an BS degree in Engineering Technology or if they have no Engineering or Related Science degree. He further stated that he felt that allowing this will erode the professional standard of this profession.

Mr. Lazell shared that the requirements for Education, Examination and Experience are the “standard” used by most jurisdictions including Illinois and is the Model used by NCEES for someone to be considered Model Law Engineer with NCEES.

Ms. Robinson said that ISPE has concerns about several items in the proposed draft and will provide a list at a later date.

Mr. Nguyen also shared information regarding SB 1899 for the Landscape Architecture.

Ms. Robinson stated that a revised draft of SB 1899 has been submitted.

Mr. Jamison stated that he did think there was any value in a full Practice Act for the Landscape Architect profession as their education does not rise to the level of maintaining the Health, Safety and Welfare of the public.

Mr. Hurley said that he would like to see the Landscape Architect draft:
- Define the scope of practice
- Ensure there is no encroachments to other design professions
- Clarify experience issues

IV. Report from Subcommittees

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A. Complaint Review Committee/Subcommittee Reports

Mr. Whitt reported from the March 21, 2019 meeting. Complaint Statistics based on recommendations from the January 11, 2019 meeting:

Architect: Opened 7, Closed 1, Referred 3
PE: Opened 12 Closed 2, Referred 3
LS: Opened 2, Closed 0, Referred 1
SE: Opened 3, Closed 0, Referred 0
PDF: Opened 0, Closed 0, Referred 0

Complaints currently under investigation:
Architect – 29
PE – 29
LS – 13
SE - 15
PDF – 1

Cases currently being prosecuted:
Architect – 10
PE – 21
LS – 6
SE – 7
PDF – 0
PDF – 7

V. New Business

A. Report from NCEES Board Presidents’ Meeting

Mr. Schlichting reported on the BPA. The BPA is held every two years. He stated that 59 out of 70 jurisdictions were represented at the meeting. NCEES staff presented reports on the various programs that NCEES offers. One item they mentioned is that 89% of examinees reschedule their exam testing at least once.

Topics discussed included:
- Threats to Licensure
- Elimination of Exemptions
- De-coupling of experience and examinations
- Computer Based Testing (CBT) examinations
- Continuation of Paper & Pencil PE exams to CBT changeover
- Continued Professional Competency (CPC) recording program
- Engineers without Boarders

B. NCEES Record acceptance for the experience

Mr. Lazell inquired if the Board would accept the experience section of the NCEES Record as being substantially equivalent to the VE-PNG form for Endorsement applicants.

The Board discussed the experience requirements and determined that, in theory, the experience section of the NCEES Record would be adequate to determine if the applicant has the necessary
C. Delegate selection for NCEES Annual Meeting

The NCEES Annual meeting scheduled for August 14-17th was discussed. Mr. Lazell requested the names for the funded delegates.
The Illinois Professional Engineer Delegates will be:
-Duane Yockey
-Brian Berg
-John Whitt
-Kyle Lazell will be attending as the Member Board Administrator

D. PE Exam Question

Mr. Lazell asked the Board their thoughts on whether the NCEES Principles & Practice of Engineering exam – Civil/Structural examination was still a viable examination to offer in Illinois given that Illinois licenses Professional Engineers and Structural Engineers separately.

The Board discussed and stated that while the afternoon portion of the PE - Civil/Structural exam deals with structural questions, it is (overall) a PE – Civil examination, not a Structural exam and is also used in other jurisdictions for licensure as a PE. Not accepting it would require out of state licensees to re-take the PE – Civil exam with a different afternoon portion and would be a burden to the applicant.

E. Section 1380.220 Question

Mr. Lazell inquired if the Board would have reservations with combining the coursework categories listed in Section 1380.220 b) 1) and b) 2) to simplify the language and educational requirement for applicants with non-approved education.

The Board said that they would be in favor of combining the two sub-sections and requested that this be included with the current draft rule language if possible.

F. Fire Sprinkler System & NICET 3 discussion

Mr. Ray shared a concern that he and the Fire Services community has in regard to language in the Fire Sprinkler Contractor Licensing Act. He stated that he contacted the Fire Marshall’s office for clarification regarding what “prepared by” means.

The issue in question is that drawings are being drawn by individuals who do not hold a PE license or one of the acceptable certifications required to prepare the drawings and who do not have the education necessary to ensure public safety and are being “reviewed” by another individual.
Motion to go into Closed Session: Motion was made, seconded (Jamison/Kunz) and passed to go into Closed Session pursuant to Section 2C (4) & (15) of the Open Meetings Act at 11:42 am.

VI. Closed Session: Roll Call:
James P. Schlichting, Chair
L. Duane Yockey, Vice-Chair
Brian Berg Jr, Member
Christy Crites, Member
Gale Jamison, Member
Philip Kunz, Public Member
Richard M. Ray, Chair
John M. Whitt, Member

A. Review of Closed Minutes
The Board reviewed the closed minutes of the January 24, 2019 meeting.

B. Application Review
The Board reviewed and made recommendations for 22 applications for licensure by examination, restoration, and endorsement.

Motion to go into Open Session: Motion was made, seconded (Ray/Burke) and passed to go into Open Session at 1:20 pm.

Recommendations: Motion was made, seconded (Ray/Jamison) and passed to accept the recommendations made in Closed Session.

VII. Signatures
A. Action Sheets
The Board signed action sheets: 19-0431 through 0453

B. Travel Vouchers

VIII. Adjournment Motion was made, seconded (Ray/Jamison) and passed to adjourn. Meeting adjourned at 1:21 pm.