

# PROFESSIONAL ENGINEERS SECTION MEETING

## MINUTES

The Professional Engineers Section of the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA Board) met on August 14, 2002, at the Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia, with the following members present:

Richard N. Davenport  
Ronald G. Helton

Board Member James K. Lowe, Jr., was not present for the meeting.

Staff present for all or part of the meeting were:

Karen W. O'Neal, Deputy Director of Regulatory Programs  
Mark N. Courtney, Assistant Director  
Marian H. Brooks, Regulatory Board Administrator  
Trisha L. Henshaw, Administrative Assistant  
Bonnie Rhea, Assistant Director of Post Adjudication  
Cynthia Platt, Legal Assistant

No representative from the Office of the Attorney General was present.

Finding a quorum of the Section present, Mr. Davenport called the meeting to order at 9:10 a.m.

Call to Order

Mr. Helton moved to approve the agenda as written. Mr. Davenport seconded the motion which was unanimously approved by members Davenport and Helton.

Approval of  
Agenda

Mr. Helton moved to approve the minutes from the May 8, 2002, meeting as written. Mr. Davenport seconded the motion which was unanimously approved by members Davenport and Helton.

Approval of  
Minutes

**Public Comment Period** - No comments were made to the Section members.

Public Comment

No other respondent, counsel for respondent or other representative, or participant without an appointment was present to speak before the Section.

Call for  
Respondent

Regarding File Number 2002-02770, Nosrat P. Yaghmaee, the Section member reviewed the record of the Informal Fact-Finding Conference, which consisted of the application file, transcript and exhibits, and summary and recommendation of the presiding Board member. Mr. Helton recommended that the Board accept the summary and recommendation of the presiding Board member and deny Mr. Yaghmaee's application for a professional engineer license until such time as Mr. Yaghmaee perfects his application by successfully completing the requirements of the Board's 1999 regulation 18 VAC 10-20-250, which are restated in the Board's 2002 regulation 18 VAC 10-20-55. Mr. Yaghmaee's application is incomplete due to the fact that he has not submitted proof of taking, or achieving an acceptable score for, the Test of English as a Foreign Language (TOEFL) and the Test of Spoken English (TSE). As the presiding Board member at the Informal Fact-Finding Conference, Mr. Davenport was not present during the discussion.

File Number  
2002-02770,  
Nosrat P.  
Yaghmaee

Regarding File Number 2002-02772, Ayad O. Bazlamit, the Section member reviewed the record of the Informal Fact-Finding Conference, which consisted of the application file, transcript and exhibits, and summary and recommendation of the presiding Board member. Mr. Helton recommended that the Board accept the summary and recommendation of the presiding Board member and deny Mr. Bazlamit's application for a professional engineer license until such time as Mr. Bazlamit perfects his application under the requirements of 18 VAC 10-20-210.5 of the Board's 2002 regulations by providing documented qualifying engineering experience totaling 20 years. As an alternative, Mr. Bazlamit can perfect his application by taking and passing the Fundamentals of Engineering examination, allowing him to be considered under 18 VAC 10-20-210.1 of the Board's 2002 regulations. Mr. Bazlamit provided 15 years and 6 months of qualifying engineering experience; however, he lacks 4 years and 6 months of the required 20 years of qualifying engineering experience. As the presiding Board member at the Informal Fact-Finding Conference, Mr. Davenport was not present during the discussion.

File Number  
2002-02772,  
Ayad O.  
Bazlamit

Regarding File Number 2002-03249, Shannon W. Holland, the Section member reviewed the record of the Informal Fact-Finding Conference, which consisted of the application file, transcript and exhibits, and summary and recommendation of the presiding Board member. Mr. Helton recommended that the Board accept the summary and recommendation of the presiding Board member and deny Mr. Holland's application for a professional engineer license until such time as Mr. Holland can perfect his application under the requirements of 18 VAC 10-

File Number  
2002-03249,  
Shannon W.  
Holland

20-210.4 of the Board's 2002 regulations by providing documented qualifying engineering experience totaling 10 years. Mr. Holland lacks graduation from an engineering or related science curriculum of four years or more; therefore, he would need to qualify under 18 VAC 10-20-210.4 of the Board's regulations, which requires 10 years of qualifying experience. Mr. Holland provided documentation of 5 years and 2 months of qualifying engineering experience, and is eligible to receive one additional year of experience credit for his Masters of Engineering degree in Civil Engineering from Old Dominion University; therefore, he must provide documentation of a minimum of 3 years and 10 months of additional qualifying experience. As the presiding Board member at the Informal Fact-Finding Conference, Mr. Davenport was not present during the discussion.

Regarding File Number 2002-03640, Sajjad A. Lodhi, the Section member reviewed the record of the Informal Fact-Finding Conference, which consisted of the application file, transcript and exhibits, and summary and recommendation of the presiding Board member. Mr. Helton recommended that the Board accept the summary and recommendation of the presiding Board member and approve Mr. Lodhi's application for the Fundamentals of Engineering examination. An Informal Fact-Finding Conference was held to determine whether Mr. Lodhi needed to submit proof of the TSE and TOEFL examinations, as he was a native of Pakistan. Mr. Lodhi testified that English is the language of the government and the professional classes in Pakistan, and he submitted several examples that demonstrated the use of English in education, government, and business in Pakistan. Subsequent to the Informal Fact-Finding Conference, the First Secretary of the Pakistan Embassy to the United States submitted a notarized letter that stated that English is the official language of Pakistan and is the medium of instruction in all colleges and universities of Pakistan. The letter further stated that English is also the primary language for all technical and professional work. As Mr. Lodhi is an applicant from an English speaking country, it is not necessary for him to take the TSE and TOEFL examinations. As the presiding Board member at the Informal Fact-Finding Conference, Mr. Davenport was not present during the discussion.

File Number  
2002-03640,  
Sajjad A. Lodhi

Regarding File Number 2002-03735, Muhammad Sharif Tarar, the Section member reviewed the record of the Informal Fact-Finding Conference, which consisted of the application file, transcript and exhibits, and summary and recommendation of the presiding Board member. Mr. Helton recommended that the Board accept the summary and recommendation of the presiding Board member and approve Mr. Tarar's

File Number  
2002-03735,  
Muhammad  
Sharif Tarar

application for the Principles and Practice of Engineering examination. An Informal Fact-Finding Conference was held to determine whether Mr. Tarar needed to submit proof of the TSE and TOEFL examinations, as he was a native of Pakistan. Mr. Tarar testified that English is the language of the government and the professional classes in Pakistan, and he submitted several examples that demonstrated the use of English in education, government, and business in Pakistan. Subsequent to the Informal Fact-Finding Conference, the First Secretary of the Pakistan Embassy to the United States submitted a notarized letter that stated that English is the official language of Pakistan and is the medium of instruction in all colleges and universities of Pakistan. The letter further stated that English is also the primary language for all technical and professional work. As Mr. Tarar is an applicant from an English speaking country, it is not necessary for him to take the TSE and TOEFL examinations. As the presiding Board member at the Informal Fact-Finding Conference, Mr. Davenport was not present during the discussion.

The Section members discussed in general applicants from India, Pakistan and the Philippines. Mr. Davenport indicated that he will be making a recommendation at the APELSCIDLA Board meeting on September 10, 2002. Mr. Davenport will recommend that all applicants for licensure and/or certification that were citizens of, and received all of their secondary and college/university training from, Pakistan and India shall be treated as having come from an English speaking country. Mr. Davenport will further recommend that these applicants be exempt from the requirements of taking the TSE and TOEFL in 18 VAC 10-20-55 of the Board's regulations.

Discussion of  
TSE and  
TOEFL

Mr. Courtney indicated that a similar situation has arisen with applicants from the Philippines. After discussion, Mr. Davenport directed staff to contact the Philippines Embassy and request a letter from either the First Secretary or the Secretary of Education that states that English is an official language of the Philippines and that English is the medium instruction at colleges and universities in the Philippines. If an affirmative response is received, Mr. Davenport requested that the Board also consider applicants who are citizens of and educated in the Philippines as being from an English speaking country and exempt from the TSE and TOEFL examination requirements.

Mr. Courtney also discussed how to identify candidates for the TSE and TOEFL. After discussion, the Section members agreed that the country from which the applicant obtained his degree shall determine whether or not the individual will be requested to submit proof of the TSE and

TOEFL examinations. Alternately, if the applicant can present proof of U.S. citizenship, he shall not be required to take the TSE and TOEFL examinations.

Mr. Courtney introduced Karen O'Neal as the new Deputy Director of the Regulatory Programs Division and indicated that she will be attending meetings that include discussion of regulatory and legislative matters.

**Introduction of Staff**

The Section members were provided with the Technology Accreditation Commission (TAC) criteria for accrediting engineering technology program. As this is the basis for determining self study requirements, the Section members were concerned about changes being made to this criteria. After discussion, the Section members directed staff to mail them the 2002-2003 TAC criteria and to make a comparison chart of the 2001-2002 criteria, and the 2002-2003 criteria.

**Discussion of TAC Requirements**

Mr. Courtney provided a report from the National Council of Examiners for Engineering and Surveying (NCEES) Annual Meeting that was held August 7-10, 2002, in La Jolla, California. Mr. Courtney indicated that one of the major topics of discussion was examination security. The attendees discussed concerns regarding examination proctors who teach review courses, as well as proctors who may be future examination candidates. Additionally, NCEES is studying whether it would be feasible to provide calculators to examination candidates to eliminate concerns that prohibited information may be stored on calculators that the candidates bring with them to the test site. Mr. Courtney also stated that NCEES now is indicating that state boards may be billed if a breach in examination security occurs and is due to negligence on the part of the board or its proctors. Mr. Davenport requested that when the contract with the examination vendor next comes up for renewal a stipulation be added that states that the vendor will be fully liable for any negligence on their part. Mr. Courtney indicated that the North Carolina Board previously stated that they would present a resolution at the Annual Meeting requesting NCEES to assess references submitted by applicants for the Model Law Engineer designation. Mr. Courtney indicated that the North Carolina Board chose not to present this resolution for consideration as NCEES agreed to study the issue by committee. Mr. Courtney also stated that Stanley C. Harris, former Board member, was presented with the Distinguished Service Award at the Annual Meeting.

**NCEES Annual Meeting**

The Section members were provided with a query from Mr. Lowe regarding candidates who hold an engineering graduate degree. Mr. Lowe asked whether certain management-oriented graduate degrees in engineering qualified as graduate level engineering degrees. After

**Discussion of Engineering Graduate Degrees**

discussion, the Section members indicated that they would take his letter under advisement.

The Section members were provided with information regarding a new examination that will be available to state boards as part of the package of examinations offered by NCEES beginning April 2003. The new examination, entitled the Architectural Engineering Professional Engineers Examination, will cover the analysis and design of structural, electrical and mechanical systems for commercial, industrial and institutional facilities, as well as construction management. After discussion, the Section members agreed by consensus to add this examination to those offered to Virginia professional engineer examination candidates.

Discussion  
Regarding the  
Architectural  
Engineering  
Examination

The Section members were provided with information regarding upcoming an ABET accreditation visit. Mr. Helton and Mr. Davenport both indicated that their schedules would not allow them to attend the upcoming accreditation visits. Mr. Helton directed staff to contact Mr. Lowe to see if he would be interested in attending the accreditation visits as an observer.

ABET  
Accreditation  
Visits

The Section members were provided with the ABET 69<sup>th</sup> Annual Report for informational purposes.

ABET 69<sup>th</sup>  
Annual Report

Mr. Courtney stated that due to a reorganization within the Office of the Attorney General, the counsel to the Board has been reassigned. Lisa Rowley, Assistant Attorney General, has replaced Brian McCormick as counsel to the Board.

Other Business

The Section members recommended that several changes be made to the application review sheet to increase the efficiency of reviewing applications.

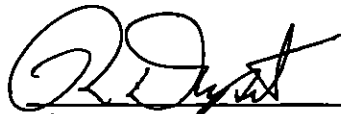
Mr. Courtney introduced Arlene Johnson as the new licensing specialist in the Board office and indicated that Toni Spencer is the new licensing specialist that will be handling the professional engineer and engineer-in-training applications.

Conflict of Interest forms were completed by all members present and are attached herewith.

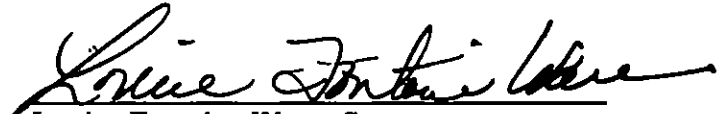
Conflict of  
Interest Forms

There being no further business, the meeting was adjourned at 10:07 a.m.

Adjourn



Richard N. Davenport, Chair



Louise Fontaine Ware, Secretary

COPY TESTE:

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Custodian of Records