

POLYGRAPH EXAMINERS ADVISORY BOARD

MINUTES OF MEETING

MARCH 3, 2005

The Polygraph Examiners Advisory Board met on Thursday, March 3, 2005, at the Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia. The following Board members were present:

Gary M. Jenkins, Chairman
Paul K. Minor, Vice Chairman
Darryl DeBow
Elizabeth L. Wildhack
A. W. Omohundro

Bernard Levin, Denise Likens and Barry Colvert were absent from the meeting.

Staff present for all or part of the meeting:

Louise Fontaine Ware, Director
Karen O'Neal, Deputy Director of Regulatory Programs
Eric L. Olson, Executive Director
Kevin Hoeft, Regulatory Boards Administrator
Sheila Watkins, Administrative Assistant
Karen Kenney, Administrative Assistant

Chairman Jenkins called the meeting to order at 10:15 a.m.

Call to Order

Mr. DeBow offered a motion to approve the agenda. Mr. Minor seconded the motion, which was approved unanimously.

Approval of Agenda

Mr. DeBow offered a motion to approve the Board's December 2, 2004, meeting minutes. Mr. Minor seconded the motion, which was approved unanimously.

Approval of December 2, 2004, Meeting Minutes

No public comments were made and no members of the public were present.

Public Comment

Chairman Jenkins introduced new Board Member Elizabeth L. Wildhack of Arlington County, who is a Citizen Member and will serve a four-year term which expires on June 30, 2008.

Introduction New Board Member – Elizabeth Wildhack

Sharon Sweet, Director of the Office of Education and Examinations, updated the Board concerning Examination Development. Ms. Sweet informed the Board that Director Ware

Polygraph Examiner Test Development

has selected Professional Credential Services (PCS) of Nashville, Tennessee, as the vendor who will develop the new polygraph examiner examination. Linda Kellner is the Test Developer for PCS. The cost for examination development, including subject matter experts, is estimated to be approximately \$16,500.00. PCS will work with selected subject matter experts and conduct three examination workshops to develop examination content areas, exam blueprint, exam item bank, one or two exam forms, answer keys, answer sheets, and to set the cut score. Ms. Sweet asked Board Members to provide Eric Olson with subject matter experts who should participate in these workshops. Ms. Sweet anticipates that the new examination will be in place by approximately September 1, 2005. Board Member DeBow volunteered to help in the examination development.

Update

Deputy Director for Administration and Finance Steven Arthur provided the Board with a handout and presentation concerning proposed fee changes for Polygraph Examiner license applicants and renewals. Mr. Arthur reviewed the Board's licensing fee history, and he then provided the Board with three different fee increase proposals. Any proposed fee changes will need to go through the regulatory review process. The Board took no action on this matter at this time.

Proposed Fee Change

Kevin Hoeft informed the Board that a Tennessee licensed polygraph examiner sent in an application for reciprocal licensure as a Virginia polygraph examiner. The Board reviewed Tennessee's polygraph examination licensure requirements and determined that the licensing requirements for Virginia and Tennessee are similar. In this particular case, the Board approved reciprocal licensure if the applicant meets all other requirements. Mr. Omohundro made the motion to approve reciprocal licensure in this case. Ms. Wildhack seconded the motion, which was approved unanimously.

Tennessee Reciprocity Application

The Board reviewed the proposed amendments to the *Polygraph Examiners Advisory Board's Rules and Regulations* (The Regulations) that were made by the Board at its December 2, 2004, meeting. The Board made a few minor changes to the proposed amendments. Mr. DeBow made a motion to adopt the Board's proposed amendments. Mr. Minor seconded the motion, which was approved unanimously. Eric Olson then explained the regulatory review process to the Board.

Regulatory Review

Chairman Jenkins called for a recess at 11:30 a.m.

Recess

Chairman Jenkins reconvened the meeting at 11:45 a.m.

Reconvene

Chairman Jenkins informed the Board that three applicants passed the licensure examinations today. The three new licensed polygraph examiners, Anthony S. Pike, John J. Cobb, and Vincent A. DiBenedetto, III, were introduced to and congratulated by the Board.

Examination
Results &
Introduction of
New Licensees

The Board then revisited the proposed fee change. After further review and discussion of the three proposed fee change options, Mr. DeBow made a motion to approve Proposal B. Mr. Minor seconded the motion, which was approved unanimously.

Revisit Proposed
Fee Change

Mr. DeBow requested that the matter of "Polygraph Examinations Performed by Investigators," that was discussed at the December 2, 2004, Board meeting be reconsidered. Mr. DeBow considers it inappropriate for investigators, who are licensed polygraph examiners, to conduct a polygraph examination on an individual who is the subject of the polygraph examiner/investigator's investigation. The Board took no action on this matter.

Old Business

Polygraph
Examinations
Performed by
Investigators

The matter of Board Member appointment terms was discussed. Mr. DeBow indicated that he would be willing to serve another term on the Board. Mr. Omohundro mentioned that he would serve another term if the Director wants him to do so.

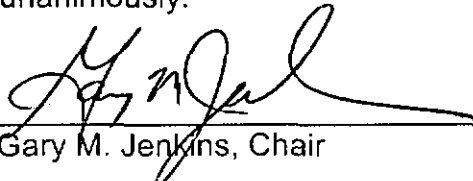
New Business

Travel vouchers and conflict of interest forms were completed by all the Board members present.

Completion of
Paperwork

Mr. Omohundro made a motion to adjourn the meeting at 12:40 p.m. Mr. Minor seconded the motion, which was approved unanimously.

Adjourn



Gary M. Jenkins, Chair



Louise F. Ware, Secretary

COPY TESTE:

Custodian of Records

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: Elizabeth L. Wildhack
2. Title: Member – POLYGRAPH EXAMINERS ADVISORY BOARD
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: POLYGRAPH BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

N/A

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Elizabeth L. Wildhack
Signature

March 0~~2~~³, 2005
Date

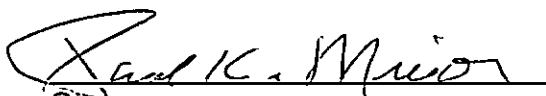
STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: Paul Minor
2. Title: Member – Polygraph Examiners Advisory Board
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: Polygraph Board Meeting
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:
 - (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

 - (b) I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature

March 0³2, 2005
Date

STATE AND LOCAL GOVERNMENT

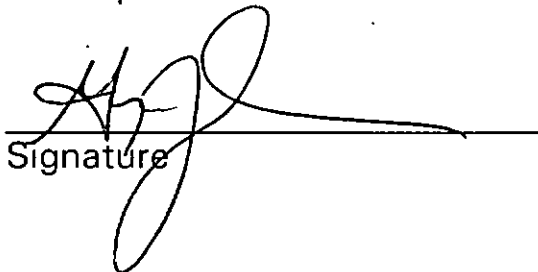
CONFLICT OF INTEREST ACT

- 1. Name: **Gary Jenkins**
- 2. Title: Member – Polygraph Examiners Advisory Board
- 3. Agency: Department of Professional & Occupational Regulation
- 4. Transaction: POLYGRAPH BOARD MEETING
- 5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature

March ³02, 2005
Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: **A. W. Omhundo**
2. Title: Member – Polygraph Examiners Advisory Board
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: POLYGRAPH BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

NONE

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

NONE

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

A. W. Omhundo
Signature

March 0³, 2005
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTEREST ACT**

1. Name: Daryl DeBow
2. Title: Member – Polygraph Examiners Advisory Board
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: Polygraph Board Meeting
5. Nature of Personal Interest Affected by Transaction:


n/a

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

(b)

I am able to participate in this transaction fairly, objectively, and in the public interest.



Signature

March 0³, 2005
Date