



**PROFESSIONAL ENGINEER SECTION
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS, AND PROFESSIONAL LAND SURVEYORS
Room N208, 4822 Madison Yards Way, Madison
Contact: Erin Karow (608) 266-2112
September 26, 2018**

The following agenda describes the issues that the Section plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Section.

AGENDA

1:00 P.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A) Adoption of Agenda (1-3)**
- B) Approval of Minutes of August 30, 2018 (4-5)**
- C) Administrative Matters**
 - 1. Department Updates
 - 2. Board Updates
- D) Legislative and Administrative Rule Matters – Discussion and Consideration (6-12)**
 - 1. Consideration of Draft Revisions for A-E 4, Relating to Professional Engineer Registration
 - 2. Update on Pending Legislation and Pending and Possible Rulemaking Projects
- E) Deliberation on Items Added After Preparation of Agenda:**
 - 1. Introductions, Announcements and Recognition
 - 2. Election of Officers
 - 3. Appointment of Liaison(s)
 - 4. Delegation of Authorities
 - 5. Administrative Matters
 - 6. Education and Examination Matters
 - 7. Credentialing Matters
 - 8. Practice Matters
 - 9. Legislative/Administrative Rule Matters
 - 10. Liaison Reports
 - 11. Board Liaison Training and Appointment of Mentors
 - 12. Informational Items
 - 13. Disciplinary Matters
 - 14. Presentations of Petitions for Summary Suspension
 - 15. Petitions for Designation of Hearing Examiner

16. Presentation of Stipulations, Final Decisions and Orders
17. Presentation of Stipulations and Interim Orders
18. Presentation of Proposed Final Decision and Orders
19. Presentation of Interim Orders
20. Petitions for Re-Hearing
21. Petitions for Assessments
22. Petitions to Vacate Orders
23. Requests for Disciplinary Proceeding Presentations
24. Motions
25. Petitions
26. Appearances from Requests Received or Renewed
27. Speaking Engagement(s), Travel, or Public Relation Request(s)

F) Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (§ 19.85 (1) (a), Stats.); to consider licensure or certification of individuals (§ 19.85 (1) (b), Stats.); to consider closing disciplinary investigations with administrative warnings (§ 19.85 (1) (b), Stats. and § 440.205, Stats.); to consider individual histories or disciplinary data (§ 19.85 (1) (f), Stats.); and to confer with legal counsel (§ 19.85 (1) (g), Stats.).

G) Deliberation of Items Added After Preparation of the Agenda

1. Education and Examination Matters
2. Credentialing Matters
3. Disciplinary Matters
4. Monitoring Matters
5. Professional Assistance Procedure (PAP) Matters
6. Petitions for Summary Suspensions
7. Petitions for Designation of Hearing Examiner
8. Stipulations, Final Decisions and Order
9. Stipulations and Interim Orders
10. Administrative Warnings
11. Review of Administrative Warnings
12. Proposed Final Decision and Orders
13. Matters Relating to Costs/Orders Fixing Costs
14. Case Closings
15. Board Liaison Training
16. Proposed Interim Orders
17. Petitions for Assessments and Evaluations
18. Petitions to Vacate Orders
19. Remedial Education Cases
20. Motions
21. Petitions for Re-Hearing
22. Appearances from Requests Received or Renewed

H) Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

I) Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

J) Open Session Items Noticed Above Not Completed in the Initial Open Session

ADJOURNMENT

NEXT MEETING DATE: DECEMBER 11, 2018

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 4822 Madison Yards Way, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board's agenda, please call the listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Interpreters for the hearing impaired provided upon request by contacting the Affirmative Action Officer, 608-266-2112.

**PROFESSIONAL ENGINEER SECTION
OF THE EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS AND PROFESSIONAL LAND SURVEYORS
MEETING MINUTES
AUGUST 30, 2018**

PRESENT: Kristine Cotharn, Steven Hook (*via GoToMeeting*), Mark Mayer

STAFF: Erin Karow, Executive Director; and Kate Stolarzyk, Bureau Assistant; and other Department staff

CALL TO ORDER

Mark Mayer, Chair, called the meeting to order at 8:42 a.m. A quorum of three (3) members was confirmed.

ADOPTION OF AGENDA

MOTION: Steven Hook moved, seconded by Kristine Cotharn, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF JUNE 25, 2018

MOTION: Kristine Cotharn moved, seconded by Steven Hook, to approve the minutes of June 25, 2018 as published. Motion carried unanimously.

SPEAKING ENGAGEMENT(S), TRAVEL, OR PUBLIC RELATIONS REQUEST(S)

Travel Request to Attend NCEES Engineering Education Award Ceremony at the University of Wisconsin-Madison Department of Civil and Environmental Engineering on September 21, 2018 in Madison, Wisconsin

MOTION: Steven Hook moved, seconded by Kristine Cotharn, to designate and authorize Mark Mayer to attend and speak on behalf of the Engineer Section at the NCEES Engineering Education Award Ceremony at the University of Wisconsin-Madison Department of Civil and Environmental Engineering in Madison, Wisconsin on September 21, 2018. Motion carried unanimously.

CLOSED SESSION

MOTION: Mark Mayer moved, seconded by Kristine Cotharn, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). The Chair read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Kristine Cotharn – yes; Steven Hook – yes; Mark Mayer – yes. Motion carried unanimously.

The Section convened into closed session at 9:40 a.m.

RECONVENE TO OPEN SESSION

MOTION: Steven Hook moved, seconded by Kristine Cotharn, to reconvene in Open Session. Motion carried unanimously.

Open session reconvened at 9:52 a.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION, IF VOTING IS APPROPRIATE

MOTION: Kristine Cotharn moved, seconded by Steven Hook, to affirm all votes made in closed session. Motion carried unanimously.

(Be advised that any recusals or abstentions reflected in the closed session motions stand for the purposes of the affirmation vote.)

CREDENTIALING MATTERS

Application Review

Nolan Kaplan

MOTION: Kristine Cotharn moved, seconded by Steven Hook, to grant the professional engineer registration application by reciprocity for Nolan Kaplan once all requirements are met. Motion carried unanimously.

James Swanson

MOTION: Kristine Cotharn moved, seconded by Steven Hook, to grant the professional engineer registration application by reciprocity for James Swanson once all requirements are met. Motion carried unanimously.

ADJOURNMENT

MOTION: Kristine Cotharn moved, seconded by Steven Hook, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 9:53 a.m.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Helen Leong, Administrative Rules Coordinator		2) Date When Request Submitted: September 14, 2018 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Professional Engineer Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Professional Land Surveyors			
4) Meeting Date: September 26, 2018	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Legislative / Administrative Rule Matters – Discussion and Consideration 1) Consideration of draft revisions for A-E 4, relating to professional engineer registration 2) Update on Legislation and Pending and Possible Rulemaking Projects	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed:			
11) Authorization			
Signature of person making this request		Date	
<i>Helen Leong</i>		<i>September 14, 2018</i>	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

Chapter A-E 4
PROFESSIONAL ENGINEER REGISTRATION

A-E 4.01 Authority and purpose. The rules in this chapter are adopted under authority in ss. [15.08 \(5\) \(b\)](#), [227.11](#), [443.04](#), [443.05](#), [443.09](#) and [443.10](#), Stats. The purpose of rules in this chapter is to interpret basic education, experience and examination requirements for registration as a professional engineer as specified in ss. [443.04](#), [443.05](#), [443.09](#) and [443.10](#), Stats.

A-E 4.015 Definitions. In this chapter:

- (1) "ABET" means the Accreditation Board for Engineering and Technology.
- (2) "NCEES" means the National Conference of Examiners for Engineering and Surveying.

A-E 4.02 Application for registration Applications. An applicant who files an application but who does not comply with a request for information related to the application within one year from the date of the request ~~shall~~ may be required to file a new application and fee.

Note: Applications are available ~~at dsps.wi.gov~~ ~~upon request to the Division of Professional Credential Processing located at 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.~~

A-E 4.025 Application for engineer-in-training certificate. (1) An applicant for engineer-in-training is required to submit the following:

- (a) Evidence of a passing score of a fundamentals examination, in accordance with s. A-E 4.07.
 - (b) Transcripts verifying the applicant's education and training, or a specific record of experience satisfactory to the section to meet the requirements of s. 443.05, Stats.
- (2) Submission of a properly executed and issued NCEES Record with verification may be accepted in lieu of the application with the same information that is required by the section.

Commented [LH-D1]: There is not an analogous section for applicants for engineers-in-training. I have added this to help fill that gap.

A-E 4.03 Engineering experience requirements.

(1) (a) To qualify as satisfactory experience in engineering work for the purpose of meeting requirements of s. [443.04](#), Stats., an applicant's experience shall include the application of engineering principles and data and shall demonstrate an applicant's progressive development of competence to do engineering work.

(b) The experience shall be acquired under the supervision of a licensed professional engineer and in the areas of engineering practice listed in subs. (1) to (7), or acquired in other areas of engineering practice or academic course work which in the opinion of the ~~board~~ section provides the applicant with a knowledge of engineering principles and data at least equivalent to that which would be acquired by experience in the areas of practice listed. Experience gained under the technical supervision of an unlicensed individual may be considered if the appropriate credentials of the unlicensed supervisor are submitted to the section.

(c) To qualify as satisfactory experience in professional engineering for purposes of ss. 443.04 (2m) (a) and (b), Stats., an applicant's experience must be obtained subsequent to completion of the educational requirements set forth in s. 443.04 (1m), Stats. This requirement may be waived, in the sole discretion of the professional engineer section, for reasons it considers sufficient.

Commented [LH-D2]: This was A-E 4.05 (3). I think this is more suitable in the section regarding experience rather than education.

(d) Experience in all areas listed is not required. Not more than one year of satisfactory experience credit may be granted for any calendar year.

Commented [LH-D3]: This was a separate section as A-E 4.04. I moved it into this section so that it is not missed.

(1m) (4) RESEARCH AND DEVELOPMENT.

(a) Problem identification, including consideration of alternative approaches to problem solving.

(b) Planning, including selecting a theoretical or experimental approach.

(c) Execution of plan, including completing design calculations.

(d) Interpreting and reporting results, including all of the following:

1. Evaluating project feasibility studies.

2. Analyzing research and development data.

3. Producing interpretive reports.

4. Formulating conclusions and recommendations.

5. Producing final reports.

(2) DESIGN.

(a) Problem identification, including all of the following:

1. Identifying design objectives.

2. Identifying possible design concepts or methods.

3. Selecting methods to be employed in consideration of aesthetics, cost, and reliability.

4. Defining performance, specifications, and functional requirements such as materials, energy balances, and environmental considerations.

5. Formulating conceptual design specifications.

6. Defining physical properties of all key materials.

(b) Planning, including defining safety, health, and environmental constraints.

(c) Execution of plan, including all of the following:

1. Developing design concepts.

2. Conducting feasibility studies.

3. Evaluating design and design methods.

4. Solving design problems.

5. Preparing designs, layouts, and models.

6. Selecting materials and components.

7. Conducting value analysis of design.

8. Producing final designs.

9. Preparing supporting technical information.

10. Preparing detailed working drawings.

11. Preparing specifications and data sheets.

12. Interacting with engineers from other areas of work such as research and development and construction.

(d) Interpreting and reporting results, including all of the following:

1. Evaluating design for conformity to specifications.

2. Evaluating design solutions for efficiency, economic, and technical feasibility and economic alternatives.

3. Evaluating design impact on public health, safety, and welfare.

4. Evaluating design solution for adherence to laws and codes.
 5. Evaluating product liability risk.
 6. Reviewing designs with clients or management.
 7. Preparing final reports.
- (e) Implementation of results, including interacting with engineers from other disciplines of engineering.
- (3) CONSTRUCTION.
- (a) Problem identification, including checking working drawings and specifications.
 - (b) Execution of plan, including all of the following:
 1. Consulting with designers.
 2. Identifying and requesting design changes.
- (4) MANUFACTURING, PRODUCTION AND OPERATIONS.
- (a) Planning, including all of the following:
 1. Proposing design or methods improvement.
 2. Planning operational processes and strategies.
 - (b) Execution of plan, including all of the following:
 1. Preparing equipment, systems, and process specifications.
 2. Determining feasibility of new or improved products, systems, and processes.
 - (c) Interpreting and reporting results, including preparing final reports.
- (5) MAINTENANCE.
- (a) Problem identification, including determining causes of failures in equipment, structures, or schedules.
 - (b) Interpreting and reporting results, including reporting the causes of failures in equipment, structures, or schedules.
- (6) ADMINISTRATION. Administration and management, including execution of plan by communicating with others.
- (7) OTHER ENGINEERING TASKS.
- (a) Conducting systems analysis or operations research.
 - (b) Serving as a consultant or specialist to individual or business clients.

~~A-E 4.04— Experience credit limitation. Not more than one year of satisfactory experience credit may be granted for any calendar year.~~

A-E 4.05 Application Requirements for registration as a professional engineer.

- (1) FOUR YEAR COURSE OF STUDY. A four year course of study requires all of the following:
 - (a) A transcript verifying the applicant's bachelor of science degree (~~B.S.~~) in engineering from a school or college of engineering accredited by the ~~engineering accreditation commission of the accreditation board for engineering and technology (EAC/~~ Engineering Accreditation Commission of ABET) in engineering of not less than 4 years, or a diploma of graduation in engineering of not less than 4 years deemed by the professional engineer section to be equivalent to a bachelor of science B.-S. degree in engineering from an ~~EAC/~~ Engineering Accreditation Commission of ABET accredited school or college of engineering.

Commented [LH-D4]: Here I have tried to squash together two separate sections, which both address application requirements but include different requirements.

(b) A specific record of 4 or more years of experience in accordance with s. A-E 4.03 within the 10 years preceding the application in engineering work of a character satisfactory to the professional engineer section indicating that the applicant is competent to be placed in responsible charge of engineering work. Experience gained in obtaining a master's degree in engineering and experience gained in obtaining a Ph.D. in engineering or in an engineering related program shall each be deemed equivalent to one year of qualifying experience.

(c) Successful completion of ~~the a~~ fundamentals of engineering examination and ~~the a~~ principles and practice of engineering examination, in accordance with s. A-E 4.07.

(d) If an engineering degree is from an educational institution located outside the United States or its territories, the applicant shall provide an official evaluation by a transcript evaluation service acceptable to the professional engineer section which compares the degree to an engineering education standard acceptable to the professional engineer section. The professional engineer section may approve the degree if it finds equivalence.

(e) References from at least 5 individuals having personal knowledge of the applicant's engineering work, 3 or more of whom are registered professional engineers, one of whom has served as supervisor in responsible charge of the applicant's engineering work.

(f) A chronological history of the applicant's employment.

(2) TWO YEAR COURSE OF STUDY. A 2 year course of study requires all of the following:

(a) ~~A~~ A transcript verifying the applicant's associate degree in engineering related course of study from a technical school or college accredited by the ~~engineering technology accreditation commission of the accreditation board for engineering and technology (ETAC/ Engineering Technology Accreditation Commission of~~ ABET) in an engineering related course of study of not less than 2 years. This shall be deemed equivalent to a degree from a technical school or college approved by the professional engineer section.

(b) A specific record of 6 or more years of experience in accordance with s. A-E 4.03 within the 10 years preceding the application in engineering work of a character satisfactory to the professional engineer section indicating that the applicant is competent to be placed in responsible charge of engineering work.

(c) Successful completion of ~~the a~~ fundamentals of engineering examination and ~~the a~~ principles and practice of engineering examination, in accordance with s. A-E 4.07.

(d) References from at least 5 individuals having personal knowledge of the applicant's engineering work, 3 or more of whom are registered professional engineers, one of whom has served as supervisor in responsible charge of the applicant's engineering work.

(e) A chronological history of the applicant's employment.

(2m) Submission of a properly executed and issued NCEES Record with verification may be accepted in lieu of the application for registration with the same information that is required by the section.

~~(3) EXPERIENCE. To qualify as satisfactory experience in professional engineering for purposes of ss. 443.04 (2m) (a) and (b), Stats., an applicant's experience must be obtained subsequent to completion of the educational requirements set forth in s. 443.04 (1m), Stats. This requirement may be waived, in the sole discretion of the professional engineer section, for reasons it considers sufficient.~~

Commented [LH-D5]: These two sections are taken from A-E 4.08

Commented [LH-D6]: Here is the inclusion of the NCEES Record language, I have included this in several places for Engineers-in-Training and applications for reciprocity.

~~A-E 4.06 Engineer in training. An applicant for certification as an engineer in training shall take and pass a fundamentals examination.~~

Commented [LH-D7]: Moved into the newly created A-E 4.025

A-E 4.07 Examinations.

~~(1) SCOPE OF WRITTEN EXAMINATIONS.~~

~~(a) The fundamentals examination requires an understanding of the physical and mathematical sciences involved in the fundamentals of engineering.~~

~~(b) The principles and practice examination requires the ability to apply engineering principles and judgment to problems in general engineering fields such as chemical, civil, electrical and mechanical fields.~~

~~(1m) REQUIRED EXAMINATIONS.~~

~~(a) The required fundamentals examination is the NCEES Fundamentals of Engineering specific discipline examination, as appropriate.~~

~~(b) The required principles and practice of engineering examination is the NCEES Principles and Practice of Engineering specific discipline examination, as appropriate, or, in the alternative when appropriate, the applicant may take the NCEES Structural Engineering examination in its entirety.~~

(4) EXAMINATION AND REFUND FEES. The fee for an engineer-in-training or professional engineer examination and requirements for refund of fees are specified in s. [440.05](#), Stats., and ch. [SPS 4](#).

(6) GRADING OF WRITTEN EXAMINATIONS. The passing scores set by the [board section](#) represent the minimum competency required to protect public health and safety. Experience ratings may not be weighed as a part of the examinations.

(7) CHEATING. Any applicant for registration who receives aid or cheats in any other manner in connection with the examination shall be barred from completing the examination or shall not be given a passing grade, or both.

Commented [LH-D8]: Here I have tried to clarify the SE exam, but also that the fundamentals examination is not one thing, but that there are 7 different exams.

A-E 4.08 Application ~~contents~~ [for reciprocity](#).

~~(1) An application for initial registration shall include all of the following:~~

~~(a) Transcripts or apprenticeship records verifying the applicant's education and training.~~

~~(b) References from at least 5 individuals having personal knowledge of the applicant's engineering work, 3 or more of whom are registered professional engineers, one of whom is registered in Wisconsin and one of whom has served as supervisor in responsible charge of the applicant's engineering work.~~

~~(c) A chronological history of the applicant's employment.~~

~~(d) Any additional data, exhibits or references showing the extent and quality of the applicant's experience that may be required by the professional engineer section.~~

(2) An application for registration by [comity reciprocity](#) from another state shall include all of the following:

(a) Verification of registration submitted directly from all states, territories or provinces of Canada where the applicant is or has been registered, including a statement regarding any disciplinary action taken.

Commented [LH-D9]: I took the application requirements and rolled them into A-E 4.05, then I changed this one to be a reciprocity application only.

(am) References from at least 5 individuals having personal knowledge of the applicant's engineering work 3 or more of the references shall be registered professional engineers and one of whom has served as supervisor in responsible charge of the applicant's engineering work.

(c) Verification of meeting the continuing education requirements set forth in s. [A-E 13.09](#).

(d) Any additional data, exhibits or references showing the extent and quality of the applicant's experience that may be required by the section.

(2m) Submission of a properly executed and issued NCEES Record with verification may be accepted in lieu of the application with the same information that is required by the section.