

**South Carolina
Board of Professional Engineers and Land Surveyors
Meeting Minutes
July 18, 2006**

The Board held a called meeting on July 18, 2006, at 110 Centerview Drive, Kingstree Building, Columbia, SC. The purpose of the meeting was to discuss proposed changes in statutes governing the practice of engineering and surveying and to discuss examination issues.

Official notification of the meeting was sent to LLR's Office of Communications and Governmental Affairs and the Office of General Counsel; appropriate newspapers; WIS-TV; and the South Carolina Society of Professional Engineers (SCSPE). Notice of the meeting was posted in a public place more than 24 hours in advance.

Chairman Miller L. Love, P.E., called the meeting to order at 9:40 a.m. Board Members present were Mitchell Tibshirany, P.E.; Gene L. Dinkins, P.E. and L.S.; Cecil Huey, Jr., P.E.; Andy Kinghorn, P.E.; Gaye Sprague P.E.; and Thurl Amick, Sr., L.S. Public Member Preston Young was absent.

Also present were Jan Simpson, Board Administrator; Stacy Johnson, Administrative Assistant. Sharon Dantzler, Advice Counsel, joined the meeting at noon.

Where action is recorded below, it was taken in each case on motion duly made, seconded and carried.

PROPOSED LEGISLATION

Chairman Love opened the discussion by noting that the trend nationally in engineering and surveying is toward requiring more education for licensure, which may be in conflict with a trend nationally in government not to over-regulate. The Board members expressed their belief that South Carolina's current licensure requirements are necessary for protection of the public's health, safety and welfare, and dilution of the requirements should be prevented.

Discussion was held as to the procedures for effecting changes in statutes and setting timelines for submittal of proposed legislation to the Legislature for review in 2007. Getting the support of professional societies is critical, and to that end, Board members committed to attending meetings to explain the changes and to answer questions from the profession. They also hope to get a commitment from the societies' members to contact their legislators for support of the bill and to attend legislative committee meetings.

Board members agreed it is critical to address the issue of a joint degree program between the University of South Carolina (USC) and South Carolina State University (SCSU). Mr. Tibshirany agreed to meet with the SCSU Board of Trustees chairman, legislators, and other key people to again attempt to reach an agreement that would provide coursework for SCSU students that, when successfully completed, would result in the equivalent of an accredited degree, necessary for licensure as an Engineer in

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South Carolina. Joe Jones with SCSPE and Board chairman M. L. Love also will assist with this effort.

The Board reviewed an earlier draft of proposed legislation and made several changes that will be incorporated; the revised draft will be recirculated for approval. They approved language for a new subsection to create an Education and Research Fund based on similar funds for other professional boards. They agreed to delete the word "Land" everywhere in the statutes except where the reference is to "land boundary surveyor" or "land boundary surveying." They also reiterated their belief that South Carolina's law should mirror the NCEES Model Law as closely as possible. The consensus was to go forward with the legislation as amended today.

LICENSURE APPLICATION PROCEDURES

After a discussion of procedures currently in place for collecting documentation to support licensure applications for engineers and surveyors, the board members expressed their belief that references and employment verifications should be sent directly to the board office rather than returned to the applicant. Current procedures require applicants to submit a completed application, although it is permissible for references to be sent directly to the Board office if the individual providing the reference is uncomfortable sending it to the applicant. The Board agreed to assist Ms. Simpson in securing additional staff to monitor applications.

Motion (Tibshrary/Huey): To write Robert Selman, LLR Assistant Deputy Director, that all references and employment verifications should be sent directly to the Board office. Motion carried.

EXAMINATION COLLUSION

With attorney Sharon Dantzler present, the Board members discussed the issue of possible exam collusion during the April FE exam. The examination division of NCEES does not investigate suspected exam collusion; they notify the relevant Board and issue a grade of "IRR" for the exam candidate. Ms. Dantzler recommended that anyone who receives an "Irregular" grade from NCEES for an exam instead of a Pass or Fail grade be sent a letter that the Board staff is unable to approve their application due to the absence of a passing exam grade. Therefore, the application must be acted on by the Board. The applicant may be offered the opportunity to attend an Application Hearing during which the individual must demonstrate that he/she is qualified for licensure or certification.

Motion (Dinkins/Amick): To handle any exam grade of "IRR" as recommended by Attorney Dantzler. Licensure or certification may not be handled by staff members when there is no passing grade; an application Hearing may be held. Motion carried.

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There being no further business, the meeting adjourned at 12:55 pm.

Respectfully submitted,


Gaye Garrison Sprague
Board Secretary