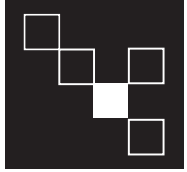


What is ELSESES, LLC?

Why did the NCEES Board choose LLC status?



ELSESES
an affiliate of NCEES

Today ELSESES, LLC, is a fast-growing affiliate of the Council, offering exam registration and administration services to NCEES Member Boards. Only four years ago, ELSESES did not exist. The concept of an NCEES-sponsored exam administration service began at the request of the Arizona State Board of Technical Registration. The Arizona Board asked NCEES to participate in a pilot study assisting with its upcoming exams. After consideration and approval by the NCEES Board of Directors, the Council handled usual aspects of the April 2000 administration, including locating the site, hiring the proctors, collecting registration information and candidate fees, and administering the exams. The pilot program was a success, and the Arizona Board and NCEES agreed to continue the arrangement. With this humble beginning, the Council's exam administration service has grown exponentially. For October 2003, ELSESES, LLC, will administer exams for 18 Member Boards.

With the success of the April 2000 pilot study, the Council offered exam administration services to all Member Boards and created a division to perform this service, naming it Engineering and Land Surveying Examination Services (ELSESES). The Louisiana Professional Engineering and Land Surveying Board contracted with ELSESES to administer its exams for April 2001, giving the Council the responsibility of two jurisdictions. In October 2001, ELSESES provided services for three boards, while the number of jurisdictions requesting exam administration continued to grow.

With each new jurisdiction joining the ELSESES fold came thousands of exam candidates asking questions, registering, paying fees, and expecting to have seats and chairs, knowledgeable proctors, and a comfortable site on exam day. In addition, the Council became responsible for the security of thousands of exam books, shipped to and from exam sites. With each new jurisdiction, the responsibilities and liabilities of ELSESES grew.

Beginning in late 2002, the NCEES Board of Directors recognized the need for the legal status of ELSESES to change. The Board recognized the need to segregate the liabilities associated with the exam administration function being performed by NCEES through ELSESES. Several alternatives were considered, but the Board determined that the creation of a single-member limited liability company was the most advantageous.

Why a limited liability company?

A limited liability company (LLC) is a legal entity created under state law. The LLC has been available as a legal entity for about 12 years in South Carolina. As the name implies, the owners are not generally responsible for the debts or obligations of the LLC. (There are theories that a creditor may argue in an attempt to assert owner liability with corporations and LLCs, the most common of which is referred to as "piercing the veil.") A corporation is another type of entity in which the owners are not responsible for the entity's obligations. However, the LLC offers the opportunity to elect how the entity will be treated for federal income tax purposes, while a corporation does not.

Conceptually, the owners of an LLC are referred to as the "members." An LLC can be managed by one or more managers or by the members. The rights and responsibilities of the members (and managers if any) are set forth in a document referred to as the Operating Agreement. A South Carolina LLC can be formed with at least one member.

ELSESES, LLC, was created under South Carolina law as a member-managed LLC with only one member, NCEES. The Council advanced working capital to ELSESES to fund its initial operations and cover risk contingencies until reserves are built. Employees of NCEES perform services for ELSESES, LLC, pursuant to a written agreement, and proctors are paid by ELSESES, LLC. As the sole member, NCEES has the right to manage the operations of ELSESES, LLC. Under the Operating Agreement, the NCEES President-Elect, Executive

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ELSESES *(continued from page 1)*

Director, Associate Executive Director, and Director of Finance serve as the Board Representative Officers and are delegated the responsibility of managing the affairs of ELSESES, LLC. Regular operating and reporting guidelines are set forth in the Operating Agreement. NCEES reserves the right at any time to change or remove any of the officers of ELSESES, LLC.

Under South Carolina law, an LLC can be organized for any lawful purpose. The entity does not set for the its purpose in the documents filed with the state, but deals with those matters in its Operating Agreement. There is no election as a "for profit" or a "not for profit" entity. For ELSESES, LLC, its classification for tax purposes in South Carolina is based on the same rule as that used by the Internal Revenue Service (IRS). ELSESES, LLC, is treated as an "affiliate" of NCEES and is therefore tax exempt and is not required to obtain a separate tax-exempt determination from the IRS. ELSESES, LLC, is filing for authority to do business in all states in which it provides services. Most states follow the same tax treatment as South Carolina; however, some may have fees and or taxes that apply regardless of the tax classification by that state.

The creation of ELSESES, LLC, has provided an approach for the exam administration function responsibilities and liabilities to be segregated from NCEES. NCEES has retained the management authority for the ELSESES, LLC, operations. ELSESES, LLC, is not required to obtain a separate determination of tax exemption with the IRS and, except for certain state and payroll filings, ELSESES, LLC, is not required to separately file with tax authorities. This serves to minimize overall administrative costs of the program.

Conclusion

In a few short years, ELSESES, LLC, has become a significant part of the services the Council provides to its Member Boards. In addition to developing engineering and surveying licensing exams, the Council has the opportunity to administer those exams through its affiliate ELSESES, LLC. Because of its close association with the Council, ELSESES, LLC, recognizes the importance of administering the exams in accordance with NCEES policies and procedures. The legal status of ELSESES, LLC, allows the Council to provide this administration service while limiting liabilities to ELSESES, LLC, alone.

*Edward A. Spitz, NCEES Attorney
with NCEES staff*

ELSESES and NCEES share same tax status

ELSESES, LLC, is listed as a "for profit" on the Web page of the Business Filings Division of the South Carolina Secretary of State. We have spoken to a representative of the Business Filings Division about this classification. The representative informed us that there is no other way of listing a limited liability company (LLC) on this Web page and that such designation is not an indication of the entity's legal status as determined by the state. The Articles of Organization do not even provide a place to elect nonprofit status. S.C. Code Ann. Section 33-44-112 provides that an LLC can be organized for *any lawful purpose*. The South Carolina statute does not limit the purpose for which an LLC can be formed to only "for profit" purposes. In fact, the IRS has ruled on a number of situations involving single-member LLCs held by charitable organizations. Although those were not necessarily South Carolina LLCs, South Carolina's statute is based on the "Uniform Limited Liability Company Act" adopted by many states. There is nothing that we find in the statute to suggest that an LLC cannot operate as a nonprofit entity.

The IRS treats a single-member LLC as a disregarded entity unless the LLC elects otherwise. Stated simply, this means that the single-member LLC is treated as a division of its member for tax purposes, and the IRS looks to the member when determining the proper tax treatment. Also, the IRS has stated that a single-member LLC that has a charitable organization as its sole member is not required to file for a separate application for recognition of tax exemption. ELSESES is a single-member LLC because NCEES is its only member.

South Carolina has adopted the federal approach to single-member LLCs and S.C. Code Ann. Section 12-2-25 states that a single-member LLC which is not taxed as a corporation will be ignored for all tax purposes. Consequently, South Carolina will treat ELSESES, LLC, as an affiliate of NCEES for tax purposes and will look to NCEES when determining the proper tax treatment of both entities.

*Edward A. Spitz
NCEES Attorney*

Council votes initiate action

The 2003 Annual Meeting was productive with members engaging in intense discussion over issues of communication, examinations, licensure qualifications, and many others. Members asserted that they wanted to hear more from the Board of Directors about its actions and deliberations. The Board of Directors has taken this to heart and will continue the communication efforts begun in the past, implement those passed at the Annual Meeting, and seek new means of communication for the future. To support these communication efforts, it is important for us to examine our 2003 Annual Meeting and the motions passed.

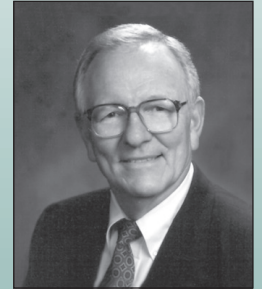
The Council approved an update to our Strategic Plan. It was developed based on all of our input and our identification of those areas we believe to be the most important for the Council to pursue. The top five issue areas we identified for the Strategic Plan are as follows:

- ◆ Exam Issues—relevance of exams, definition of minimum competency, quality control, exam security, cost, and adding additional practice and ethics questions
- ◆ Accreditation/Education—alignment of ABET criteria with licensure, changes in core curriculum, and the relationship of NCEES and ABET
- ◆ Value of Licensure—promoting the value of licensure to students and the public and concern over decreasing number of licensees
- ◆ Mobility—interstate and international mobility, uniform adoption of the Model Law, electronic signatures and seals, and multistate practice by individuals and corporations
- ◆ Splintering—need for all disciplines to be licensed, the effects of splintering on the number of persons seeking licensure, and the impact on NCEES of providing exams for all specialties

Using the preceding review of the Strategic Plan as a guide, I'd like to review some of the issues discussed during the 2003 Annual Meeting and actions that have been taken thus far. In the area of education, the Council adopted a position statement, and we created the Education/Accreditation Task Force to analyze the correlations and disparities between education, accreditation, and the licensure process. The task force membership includes two representatives from ABET, which will create its own task force with similar charges and will include representatives from NCEES. In the exam security area, we have charged the Exam Security Task Force with reviewing the feasibility of establishing one uniform administration system for NCEES exams that would ensure consistency and minimize security concerns. In regard to the Model Law, the Council accepted the two-year study performed by the Engineering Licensure Qualifications Task Force (ELQTF). The study involved input from a variety of professional and technical engineering societies including the Canadian Council of Professional Engineers. In response, we appointed new members to the Licensure Qualifications Oversight Group (LQOG) and charged the committee with researching the conclusions and recommendations contained in the ELQTF report and preparing appropriate recommendations for Council consideration at the 2004 Annual Meeting. Another task force was formed to develop position statements concerning (1) the design of fire alarm and fire sprinkler systems and the (2) practice of design/build. As a result of a motion the Council approved concerning communication, we will begin posting future BOD meeting agendas and minutes on the NCEES Web site. In addition, the Zone Vice Presidents will be contacting the Board Chairs and MBAs within their respective zones to determine whether their zones have any concerns about or desires for additional communication. Please respond to your Vice President if you have a suggestion or if you need additional information regarding an issue.

The preceding identifies only a few of the areas in which committees and task forces are working on charges. Certainly I am excited about what will be accomplished by these dedicated folks and what they will bring to the Council for discussion and action during our 2004 Annual Meeting. I look forward to working with each of you and an outstanding Board of Directors.

Donald L. Hiatte, P.E.
NCEES President

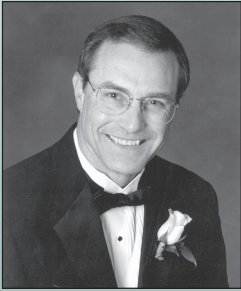


Donald L. Hiatte, P.E.
NCEES President

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Educate yourself on education

Become an ABET observer



Jon D. Nelson, P.E.
NCEES President-Elect

For nearly 70 years, state licensing boards have relied on accreditation to ensure that the quality of engineering programs is sufficient for licensure. Over the past two years or so, NCEES leadership, the Engineering Licensure Qualifications Task Force (ELQTF), and others have raised concerns over the status of engineering education and the ABET accreditation system. In addition, accreditation ranked as the second highest concern during the NCEES strategic planning workshops conducted in La Jolla at the 2002 Annual Meeting. I find it encouraging that both NCEES and ABET have created task forces to address the various issues involved. Sooner or later these initiatives may produce recommendations for NCEES consideration. To be an effective participant in the decision-making process, it will be helpful, if not imperative, for all NCEES members to have a good understanding of the ABET accreditation system.

Over the past few years, ABET accreditation has been operating under a relatively new set of guidelines titled Engineering Criteria 2000. While the system is not difficult to understand, the standard for its application can be. During my tenure on the Board of Directors, I have learned much about the U.S. system of higher education and the ABET accreditation system. I have probably had more opportunities to learn than most, but state board members do have opportunities to learn first-hand. One very good way is to be a part of an ABET visit to a university. ABET evaluates each accredited program at least once every six years, and state board members are generally invited to participate. Consequently, most state boards have at least one opportunity each year to participate in a visit. Jurisdictions with many universities have even more. I participated in an accreditation visit in September, and I encourage everyone to make the most of such opportunities.

When state board members participate in an ABET visit, they are designated "observers." ABET will provide clear guidelines on the role of an observer; but the level of your involvement will also depend on the desires of the evaluation team leader. Regardless of the level of your involvement, such visits are great opportunities to watch the accreditation system in action. It affords you an opportunity to gain a clear picture of the accreditation criteria and see first hand how they are applied by the schools and interpreted and

assessed by the evaluators. Here are a few thoughts on how to get the most from an accreditation visit.

Preparation

If you haven't already, I would strongly encourage you to attend the ABET training that is offered each year at the NCEES Annual Meeting. It will give you a head start on understanding the ABET accreditation system and the role of a state board observer. But even if you have not had the training, once you are approved as an observer, ABET will send you a set of guidelines that are easy

to understand. In other words, do not miss an opportunity just because you have not had the training.

Some weeks before the visit you should receive self-study reports that are generated by each engineering program (such as civil and mechanical) and the institution (the dean's office). These reports summarize the programs' approaches to satisfying the ABET criteria and represent the basic information for the entire process. Most of the work performed by the evaluation team actually occurs before the visit using this information. The visit itself supplements, clarifies, confirms, and finalizes the team's information and findings. It is important that you review and understand these reports before the visit. Most of the is important to your state board can be found there.

Over the past two years or so, NCEES has raised concerns over the status of engineering education and the ABET accreditation system. To be an effective participant in the decision-making process, it will be helpful, if not imperative, for all NCEES members to have a good understanding of the ABET accreditation system. One very good way is to be a part of an ABET visit to a university. ABET evaluates each accredited program at least once every six years, and state board members are generally invited to participate.

You will also receive two booklets, the *ABET Criteria for Accrediting Engineering Programs* and the *ABET Accreditation Policy and Procedure Manual*. Studying these documents is also very important. They tell you what the evaluators will look for and how they are to respond to what they find.

Key Information

While reviewing the previsit information and observing the visit, I suggest you track some of the more pertinent information. The entire accreditation process is of interest, but certain parts are of particular importance because of current educational concerns. Some questions to answer include the following:

Engineering Program Objectives

- ◆ What are the objectives of each program? Are they fairly specific or very general in nature?
- ◆ Do the objectives include a direct reference to preparing students for (licensed or unlicensed) practice? If not, is this really the department's intention?
- ◆ Are the objective assessment tools and measurement methods appropriate?
- ◆ What constituencies are involved in setting the objectives?
- ◆ Do the constituencies include representatives from licensed practice?

Faculty and Students

- ◆ How many faculty members are licensed?
- ◆ How many faculty members have some experience in practice?
- ◆ In general how do you think the faculty in the various programs view licensure?
- ◆ Do the students know about licensure? If so, how and when did they find out about it?

Coursework

- ◆ Are practitioners included in some fashion in the students' educational experience?
- ◆ What common core engineering subjects are included in each program?
- ◆ In the program with which you are most familiar, are any of the traditional core subjects missing?

Outcomes Assessment Tools

- ◆ Is the FE exam used as an outcomes assessment tool and if not, what are the reasons?
- ◆ In each program what percentage of eligible students takes the FE exam each year? If it is not 100 percent, what are the detractors?
- ◆ What outcomes assessment tools are used and how do they vary from program to program?
- ◆ How effective do you think the assessment mechanisms are? Were the methods of measurement clearly identified and reasonable?
- ◆ How much focus did the evaluators seem to place on the outcomes assessment means and methods employed?

Licensure

- ◆ Does each program encourage the students to take the FE? If so, do they do this verbally, financially, or in other ways? If not, what are the reasons?
- ◆ How does each program address the concept of licensure: positively, negatively, or not at all?

Engineering Programs

- ◆ What programs are offered at the institution?
- ◆ What degrees are offered in each program?
- ◆ How many credit hours are required to graduate with a BS degree in each program? Are there any plans to change these requirements? If so, what are the catalysts?
- ◆ Who or what influences changes in the programs, such as credit hours, areas of emphasis, facilities, etc.?
- ◆ Is research affecting the undergraduate program in a positive or negative way? How so?

ABET Evaluation Team

- ◆ How many members of the ABET evaluation team are licensed?
- ◆ How did the evaluators view licensure in general?

There are probably other important questions to ask, but these should give you a good starting point. If you see some significant omissions in the above, let me know. I am trying to develop a more complete list.

(continued on page 10)

Communicating and text-editing calculators prohibited in exam room

NCEES strictly enforces EP 15 to counter realistic security danger

In August 2003, NCEES issued a press release indicating that, with the April 2004 exams, it will begin strictly enforcing Exam Policy 15, which prohibits in the exam room communicating calculators and any device that might compromise the security of the exams and the exam process. As a result, communicating and text-editing calculators will not be allowed in the exam room. The press release included a representative list of such calculators: HP 48GX, HP 49G, TI-83 Plus, TI-83 Plus Silver Edition, TI-89, TI-92, and Voyage 200.

As a result of the press release, Council headquarters has received 20–30 calls a day from potential examinees asking, “Why?” Their angst and protests vary, but often heard are the comments, “Ridiculous!”, “This is an extreme reaction.”, “You want me to bring stone and chisel to the exam?”, “Accomplishing subterfuge with these calculators would take Houdini!” If headquarters is receiving such a response, it is likely that many Member Boards and Member Board Administrators are as well. One NCEES volunteer comments, “I’ve received some angry calls. When I explain to them what is on the Internet, what NCEES was able to reproduce, what the calculators are capable of—they lose their anger. They often say something like, ‘It’s a shame that the majority have to suffer for the wrongdoing of a few.’ They still are not happy, but they understand why we are [enforcing the calculator policy].” The strict enforcement of EP 15 is considered by the Board of Directors to be vitally important to the security of NCEES exams and ultimately the integrity of the licensure process. Some of the facts leading to this conclusion are outlined below.

Why enforce EP 15?

Good people lie. Smart people cheat. Sometimes honest people lie and cheat when they are faced with very high stakes—like loss of a job promotion, career status, or employment. Perhaps they convince themselves they have no other choice. Regardless, examinees have been caught cheating on NCEES exams. Board members, proctors, university professors, employers—they look at each highly educated, hardworking, earnest examinee, and say, “He would never cheat. She would never give away answers.” The facts—examinees caught sharing answers, answer sheets analyzed statistically to be more similar than chance would allow, questions and answers found scribbled in reference material or posted on the

Internet—speak differently. Before enforcement of EP 15 can make sense, one must recognize that unfortunately cheating on NCEES exams does happen.

Testing organizations such as NCEES are concerned with two types of cheating and exam compromise: distributing questions and answers before or after the exam and sharing answers during the exam. The first is surprisingly easy to do, especially with today’s large-memory, text-editing calculators. NCEES has long banned calculators with QWERTY keypads (keys arranged in a typewriter format). The thought process has been that entering data via a QWERTY keypad is fast and effective, while accomplishing the same with an alphanumeric keypad is too cumbersome to effectively enter exam questions and answers into a calculator’s memory. This was demonstrated to be false by a Council staff member at the 2003 Annual Meeting. Using an unaltered calculator with text editor, the NCEES Director of Information Technology Phyllis Fenno—who does not use such a calculator on a regular basis—was able to enter entire questions and answers into the calculator’s memory within minutes. Fenno commented, “It was awkward at first, but after the first three questions, I became familiar with the key strokes and was proficient at it.” The potential of exam compromise is obvious, especially in regard to examinees who are not interested in passing the exam and are only present to obtain questions. It is possible to leave the exam room with exact questions and answers and post them on the Internet, sell them, or send them to an examinee in another time zone who has not taken that portion of the exam yet. Calculators with text-editing capabilities provide a serious potential for exam compromise and as such are prohibited in the exam room.

Many scoff at the thought of examinees communicating via their calculators during an exam. They explain that such infrared communication must take place within two inches, and the connection is difficult to establish. The likelihood of a proctor being oblivious to such collusion is practically nil. Through tweaking of two calculators, NCEES was able to stretch such infrared communication to eight inches, but it was necessary to have the computers “lined up just right,” something unlikely to be accomplished in the exam room without notice. The far more likely risk to exam security comes from a combination of radio waves and the curiosity and creativity of some very bright people.

Pass rates for the April 2003 examinations are found on the NCEES Web site at http://www.ncees.org/exams/pass_rates/.

"It's amazing what one can find on the Internet," says NCEES Past President Bob Krebs. Within minutes of typing key words into a search engine, one can access a wealth of software programs, available for download, designed especially for large-memory calculators. Board members found one site alone that contained over 1,700 programs. Most were games; some were aids to solving mathematical equations. Each program was accompanied by a brief description, one of which contained the phrase "good for cheating on exams." A text-editing program facilitated the entry of data into an alphanumeric keypad, implementing text wrap, cut and paste, and other functions similar to Microsoft Word. Another program contained "RF chat" in its description. It contained chat room software along with a specifications and parts list for developing a radio frequency (RF) card. With this card and additional modifications, a calculator operator can communicate with others via radio waves, effectively chatting—even inside an exam room.

The Board did not take the program developer's description at face value. A Council staff member drove to Radio Shack. With only \$40, he bought almost all the parts needed for such modifications. One part had to be ordered from France—still within the \$40. After taking two calculators apart, building and inserting the RF cards, and tweaking the finished products just a bit, NCEES staff members were able to communicate with one another at a distance of 100 feet. They tested the communication again and again and were able to communicate easily with one operator seated in an office and the other standing in the outside parking lot. The LCD screens displayed the names of each "chatter" along with his or her keyed entry.

Is NCEES overreacting?

The effects of such readily available software on licensing exams are enormous, and concern about RF communication during exams is not new. Hewlett Packard developed the HP 49 calculator in response to the banning of the HP 48 from some exams held in Europe. In an effort to prevent cheating, some universities in Canada, Australia, and Europe provide lists of which calculators may be used during exams. Hewlett Packard will release the HP 33s in December 2003 via www.hpshopping.com to help combat this concern about sharing answers during exams. The HP 33s is a noncommunicating calculator without text-editing capabilities. But unlike other such calculators, the HP33s will allow for standard algebraic entry or RPN—the method preferred by many engineering students and professionals. After reviewing the software available and the demonstrations of communication capability, the NCEES Board of Directors decided that strictly enforcing EP 15 was the only way to ensure the integrity of the licensing process and the protection of the public.

Is it possible to pass NCEES exams without a large-memory calculator?

Certainly. The exams are designed so that a minimally competent engineer or surveyor can pass using a basic scientific calculator. The NCEES Web site lists examples of acceptable models manufactured by Texas Instruments and Hewlett Packard. NCEES subject-matter expert Frank Loudon refers to a particular model saying, "The HP 9s is a powerful calculator that has everything you need to pass the exam. I use it when I develop questions for the Electrical [and Computer Principles and Practice of Engineering] exam." Admittedly, most engineering students and professionals use high-end calculators on a regular basis. Becoming familiar with a different calculator strictly to take an exam can be frustrating. The NCEES Board of Directors is aware of this hardship, but there is no question of what to do when weighing the relatively small amount of time it would take examinees to familiarize themselves with a more basic calculator versus leaving open a window of opportunity for unscrupulous examinees to pass the licensing exam when they are not minimally competent. NCEES exams form an important rung on the licensure ladder. If that rung is broken—even just a few times during an administration—the public is endangered. The good news is that for the April 2004 exam, the first under which the Board is strictly enforcing EP 15, Hewlett Packard anticipates that the HP 33s will be available, easing the difficulty of becoming used to a less powerful calculator:

Does prohibiting text-editing and communicating calculators in the exam room completely prevent cheating on NCEES exams? Unfortunately not. After examining some of the programs posted on the Internet, one NCEES volunteer commented, "It's easy to see how developing such software could be fun." New programs for high-end calculators are

Within minutes of typing key words into a search engine, one can access a wealth of software programs, designed especially for large-memory calculators. Board members found one site alone that contained over 1,700 programs. Most were games; some were aids to solving mathematical equations. Each program was accompanied by a brief description, one of which contained the phrase "good for cheating on exams." Another program contained chat room software along with a specifications and parts list for developing a radio frequency (RF) card. With this card and additional modifications, a calculator operator can communicate with others via radio waves, effectively chatting—even inside an exam room.

(continued on page 15)

Members want better access



Betsy Browne, NCEES
Executive Director

“More communication” was a strong message at the August Annual Meeting. Presiding President Bob Krebs spoke for the Board of Directors when he said during a business session, “You have expressed a concern; we have heard it; and we will respond.” For the Council—with Member Boards spread across our country and territories, each acting independently with common but jurisdiction-specific concerns—communication is the glue that holds us together. We can never be effective in advancing professional licensure and the public health, safety, and welfare unless we work as a unified body, and such unity comes only from the understanding and consensus bred by open communication.

At the request of Member Boards, we will facilitate communication between the Board of Directors and Council membership by posting the agenda for BOD meetings on CouncilNet, a secure portion of www.ncees.org accessible to all members of Member Boards. (To obtain a password to CouncilNet, e-mail the Director of Information Technology and Administrative Services at pfenno@ncees.org.) If anyone has questions or comments about an item up for discussion or vote, he or she will be able to contact a BOD member in advance of the meeting. In addition, we will post the minutes of BOD meetings on CouncilNet after they have been approved by the Board at its subsequent meeting.

We initiated another communication effort in June 2001. Since then, the Zone Update, designed to be a conduit of information between Zone Vice Presidents and zone members, has been well received, with many members commenting positively on its content. The update includes a message from the Vice President regarding both BOD and zone-specific concerns. Inside are action items from the previous BOD meeting with background information on any items that are not self-

explanatory. In every issue, the Vice President encourages members to contact him with questions and comments. In February 1997, we revamped the *Licensure Bulletin* and renamed it *Licensure Exchange*. Maintaining the same goal of communication, the format of the new periodical was broadened to include articles from members of Member Boards and BOD officers, as well as the Headquarters Update, to provide news from the administrative side of the Council. We have worked to make *Licensure Exchange* timely and informative—containing topics for debate as well as articles introducing new members to exam development, production, and scoring. I feel encouraged that we have reached some of our communication goals when I hear members comment on or refer to articles they have read in *Licensure Exchange*. Please remember that all of you are encouraged to make use of this forum to share the experiences of your boards and your concerns as licensure regulators. In addition to a hard copy distributed six times a year to members of Member Boards, *Licensure Exchange* is made available on the NCEES Web site to members of the public. The Web site has proven to be one of our most important modes of communication. We redesigned the NCEES site in November 2002 to be more user friendly. Web surfers have access to much more information on the front page—CouncilNet, exam statistics, format, and study materials, as well as information about licensure, the NCEES Records Program, and volunteer opportunities. We post news releases, changes in policy, and contact numbers for licensing boards on the Web site. It is an excellent all-round source of information, and we are continually looking for ways to enhance its effectiveness.

An important direct line of communication between members and staff is the Annual Meeting survey we ask delegates to complete

PURPOSE

The purpose of this Council shall be to provide an organization through which state boards may act and counsel together to better discharge their responsibilities in regulating the practice of engineering and land surveying as it relates to the welfare of the public in safeguarding life, health, and property. The Council also provides such services as may be required by the boards in their mandate to protect the public.

Constitution Article 2, Section 2.01

to information

each year. See the results of the 2003 survey in this issue. We take the Annual Meeting Survey seriously and plan for the next year's conference based on its results and the handwritten comments provided. Many thanks to those who completed the survey and shared their thoughts with us.

Actions and discussion from the Annual Meeting have resulted in several new committees and task forces. President Don Hiatte has appointed the Structural Engineering Examination/Recognition Task Force for another year. Members will study the feasibility of adding Model Law Engineer—Structural Engineer to the NCEES Records Program. The Examination Security Task Force will be active again this year, primarily looking into the feasibility of a single-source exam administration provider. President Hiatte has created a new task force to develop position statements for the Council regarding design of fire alarm and sprinkler systems as well as the issue of design/build.

As you are no doubt aware, October is a crunch month for NCEES and its licensing boards. The second exam administration for 2003 falls on October 24–25. In autumn, Group II Principles and Practice of Engineering exams—for example, Mining/Mineral, Agricultural, and Control Systems—are administered with Group I PE exams, such as Civil, Mechanical, and Chemical. ELSEES, LLC, will administer exams for 18 jurisdictions this fall. Chief proctors from ELSEES states met in Atlanta on September 20 for training. They discussed administrative procedures, asked questions, and shared experiences. We look forward to an uneventful and smooth administration. Many thanks for the contributions you as Member Board Administrators, board staff, and board members have made in making each administration more efficient than the previous.



Robert "Bob" B. Whorton IV, P.E.

Lastly, I would like to take the opportunity to introduce two new Council employees. Bob Whorton, P.E., was hired in July as a Technical Assistant. He is working with the Chemical, Industrial, Mechanical, and Naval Architectural and Marine examinations. He hit the floor running and has already attended several exam development meetings. Donna Moss, P.H.R., assumed a new NCEES position in September. For the first time, the Council has gained enough employees to warrant a full-time human resources manager.



Donna W. Moss, PHR

Among other things, Moss will guide us through the additional laws and regulations that apply to organizations employing 50 or more people.

Whatever the Council is involved in—exam development, exam administration, licensure advancement, professional Records, or assisting its Member Boards—communication is the key to our success. We seek new modes of communication while continuing to enhance the communication methods we have in place. As always, we are open to your input. Don't hesitate to contact me if I can be of service. Until the December issue!

*Betsy Browne
NCEES Executive Director*

PE Exams

Group I

- Chemical
- Civil
- Electrical and Computer
- Environmental
- Mechanical
- Structural I
- Structural II

Group II

- Agricultural
- Architectural
- Control Systems
- Fire Protection
- Industrial
- Manufacturing
- Metallurgical
- Mining and Mineral
- Nuclear
- Petroleum
- Naval Architecture/
Marine

Educate yourself (continued from page 5)

During the Visit

If information you need is not in the self-study reports, plan to get it during the visit. While your involvement in the process is somewhat restricted, you can ask questions. Coordinate with the team leader and/or the individual evaluator during each activity. You will usually have plenty of opportunities to ask questions during interviews, facility tours, or even during informal settings such as lunches. An observer should always take care not to dominate any activity and must always remain mindful that the evaluation team has a lot to get done in a short amount of time. I have found that a little strategic planning before the visit will generally provide all the opportunities you need without detracting from the evaluation tasks.

Report

All information provided before and acquired during the accreditation visit must be considered confidential. However, ABET not only allows but encourages written reports *concerning the process* to be prepared and submitted through the team leader. The reports can also be shared with your state board provided they are kept strictly confidential and that copies are sent to ABET.

There are also other restrictions on reports. They *must not include information relating to specific accreditation issues or recommended actions*. There are good reasons for this. The accreditation process continues well after the visit, and the results are not finalized for several months. Also, the standing of the university's engineering programs is at stake, thus such information is very sensitive. Read and follow the observer guidelines carefully in this regard. Subject to the limitations, I strongly recommend you jot down pertinent information and report to ABET and your state board. The education you receive on the accreditation process and the nature of engineering education needs to be shared.

I am confident that NCEES and ABET will resolve the issues between them. The initiatives of both organizations for the coming year are encouraging, but I imagine the process will take some time—time enough for many of you to increase your "education on education" through ABET visits. They can make you better informed. All you have to do is take the opportunities and make the most of them.

Jon D. Nelson, P.E.
NCEES Vice President

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NCEES OPERATING SUMMARY (2002–2003)

For the Period Ended August 31, 2003

	Actuals Year-to-date	Budget Year-to-date	Budget Variance	2002–2003 Total Budget
INCOME				
Member Boards	\$ 521,089	\$ 482,599	7.98%	\$ 737,825
Examinations	5,678,265	5,313,735	6.86%	5,313,735
Study Materials	662,295	913,587	–27.51%	1,036,200
Records	1,018,085	1,039,962	–2.10%	1,134,500
ELSESES	<u>1,010,240</u>	<u>617,000</u>	<u>63.73%</u>	<u>707,000</u>
Total Income	\$ 8,889,974	\$ 8,366,883	6.25%	\$ 8,929,260
EXPENSES				
Member Boards Services	\$ 1,549,798	\$ 1,943,714	–20.27%	\$ 2,145,671
Examinations	4,272,826	4,546,672	–6.02%	4,860,936
Study Materials	493,844	737,004	–32.99%	815,051
Records	489,698	525,217	–6.76%	569,624
ELSESES	<u>808,277</u>	<u>613,289</u>	<u>31.79%</u>	<u>647,098</u>
Total Expense	\$ 7,614,443	\$ 8,365,896	–8.98%	\$ 9,038,380
NET INCOME (DEFICIT)	\$ 1,275,531	\$ 987	129133.13%	\$ (109,120)

2003 Annual Meeting Survey

Each year we ask delegates to the Annual Meeting to complete a survey of meeting activities, food, outings, and staff support. Staff uses the survey results when planning for the following year's meeting. Delegates rated items on a scale of 1–5 with 5 being "Excellent" and 1 being "Unacceptable." The responses for each item were averaged. No item received an average of less than 3.40, and most received an average above 4.00.

Workshops, Forums, and Sessions

ABET Training	4.08
ADA Workshop	3.56
Cut Scores	4.14
Defining the Body of Knowledge	3.75
Engineer Forum	4.13
Exam Security	3.70
GIS & Photogrammetry	3.46
Land Surveyor Forum	4.15
Law Enforcement Program	4.06
MBA Forum	4.06
New-Member Orientation	4.20
Outreach Speaker Recruitment/Training	4.00
Task Analysis	3.58
What Common Core Supports the Licensure Process	4.06

Business Sessions

Thursday Business Session AM	4.10
Thursday Business Session PM	4.17
Friday Business Session AM	4.14
Friday Business Session PM	4.13
Saturday Business Session AM	4.29

Annual Meeting Materials

Action Items and Conference Reports	4.38
Awards Brochure	4.48
Brochure and Registration Form	4.38
Daily Newsletter	4.18
Delegate Registration Packet	4.46
Pocket Schedule	4.60

Renaissance Harborplace, Baltimore

Check-in, Check-out Procedures	4.43
Guest Rooms	4.31
Hotel Staff	4.46
Location	4.69
Meeting Rooms	4.08
Overall rating of hotel	4.26
Room Rate	3.61

Social Activities

Annual Awards Luncheon	4.30
Baltimore Museum of Industry Tour & Dinner	3.56
Farewell Reception	4.27
Farewell Banquet	4.50
Farewell After Party	4.15
Welcome Reception	4.38

Quality of the Food

Wednesday Welcome Reception	4.22
Thursday Breakfast	4.03
Thursday Deli Lunch	3.83
Friday Breakfast	3.73
Friday Awards Lunch	4.08
Saturday Breakfast	3.74
Saturday Lunch	3.80
Saturday Banquet	4.50

Guest Services

Hospitality Suite

Hours	4.32
Materials	4.04
Refreshments	4.04

Annapolis Tour

Quality of Food	4.47
Tour	4.67
Tour Guide	4.53
Transportation	4.60

Baltimore Museums Tour

Quality of Food	3.82
Tour	3.90
Tour Guide	4.00
Transportation	4.09

Dinner Reservations Assistance

Destinations	4.79
Hours	4.67

NCEES Staff

Availability	4.65
Courtesy	4.58
Knowledge	4.59
Professionalism	4.60
Support	4.61

Highlights from the 2003 Annual Meeting

Not intended to be an all-inclusive list, but a sampling of the actions taken at the meeting. The Minutes of the 2003 Annual Meeting include more information.

- ◆ Adopted the 2003 Strategic Plan presented by the Advisory Committee on Council Activities (ACCA).
- ◆ Amended Constitution and Bylaws, Sections 4.01 and 4.04, to remove the Committee on Education Assessment and Qualification as a standing committee.
- ◆ Adopted the definition of Model Law Engineer—Structural Engineering presented by the Structural Engineering Examination/Recognition Task Force.
- ◆ Modified the definition of Model Law Surveyor (MLS). Among other requirements, an MLS is now defined as a graduate of an EAC/ABET-accredited program, a Surveying and Mapping Group program accredited by ASAC/ABET, or the equivalent. The Model Law definition of “practice of surveying” was also modified to include the practice of photogrammetry and the use of Geographical Information Systems as tools to perform professional services.
- ◆ Approved a motion asking the President to consider charging the Licensure Qualifications Oversight Group with researching the conclusions and recommendations contained in the report presented by the Engineering Licensure Qualifications Task Force.
- ◆ Approved a motion asking that the President consider charging UPLG with amending the Model Law to require that exam candidates with three or more unsuccessful attempts on an examination, regardless of where taken, submit a new application to their respective boards to be requalified for future administrations of the same exam. If requalified by their boards, exam candidates must wait 12 months before being reseated for the next scheduled examination. At the end of the 12-month period, they may take the exam no more than once every calendar year.



Delegates took some time off from business sessions to attend the Orioles versus Yankees baseball game. Front row L–R are Mary Stivers, (wife of Past President Ted Stivers) Irene Lewis, her husband Past President Skip Lewis, and David Whitman (WY).



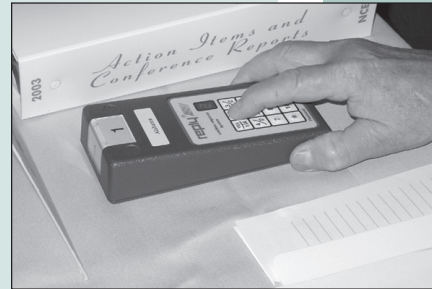
Delegate Joe Clements from Arkansas enjoyed the challenge of the harbor-side crab feast.



Sally Wingo, executive director of the Maryland Boards, shared advice with Mark Jones, executive director of the Ohio Board. The 2004 Annual Meeting will be in Cleveland, Ohio.

Annual Meeting Highlights

- ◆ Endorsed the concept of a unique national numbering system for all NCEES exam applications with development to begin in 2003–2004.
- ◆ Approved a motion that staff develop and implement a process to assist Member Boards in ensuring that all proctors have successfully completed relevant training prior to participation in any NCEES exam administration.
- ◆ Approved an amendment to Exam Policy 20 stating that effective with the April 2004 exam administration, the Structural II exam shall be considered and referred to as one eight-hour exam with no distinction between morning and afternoon portions unless otherwise required by the current statutes of a jurisdiction. No jurisdiction shall administer the morning and afternoon portions separately after April 2006.
- ◆ Approved a motion asking the President to appoint a task force to study and develop a national position and/or policy that will provide a method to prevent the obvious bypassing of the engineering registration laws by building officials and other fire protection authorities regarding fire alarm and fire sprinkler systems.
- ◆ Approved a motion to fund the Member Board Administrators Networking Group to each of the scheduled Board Presidents' Assemblies, beginning in 2005, and to each scheduled meeting thereafter.
- ◆ Moved that legal documentation for ELSEES, LLC, including business filing information, business plan, mission, organizational structure, budget, and constitution and bylaws (if applicable) be provided to NCEES Members Boards by Member Board request. (See page 1 article.)
- ◆ Moved that the date, time, place, and draft agenda for each Board of Directors meeting be placed on the NCEES Web site under CouncilNet and e-mailed to the MBA Listserv at least seven days before the meeting. Final corporate minutes will be posted on the same. Items discussed in Executive Session will include minutes that list the general topics discussed and basis for non-disclosure.



A total of 68 boards were represented at the business sessions. When the President calls for a vote, each board casts a single electronic vote of yes or no.

Awards Committee seeks nominations

Do you know someone who has provided extraordinary service to your board, the Council, and the community? Or perhaps you know someone who has advanced licensure or ethics in the engineering or land surveying profession?

The Committee on Awards is accepting nominations for the Distinguished Service Award, the Distinguished Service Award with Special Commendation, and the Meritorious Service Award. These awards will be presented at the 2004 Annual Meeting in Cleveland, Ohio.

Nominations materials have been sent to Member Board Administrators (MBAs), emeritus members, members of Member Boards, and Board Presidents. They are also available on CouncilNet or by contacting Lisa White at lwhite@ncees.org. MBAs, board staff, members of Member Boards, NCEES emeritus members, or any other individual whom the Awards Committee believes to be directly related to NCEES may submit a nomination. Nominations are due no later than January 31, 2004.

Member Board
NEWS

ARIZONA

- ◆ Stuart Land, Pricilla S. Cornelio, and Gary J. Nelson are new appointees to the board. The terms of Fred E. Goldman, Gregory M. Tuttle, and Joseph A. Gardner have expired.

COLORADO

- ◆ Bryan M. Clark and Thomas P. Hawkinson are new appointees to the board. The terms of Wayne K. Clark and R. Donald Johnson have expired.

FLORIDA LS

- ◆ Juanita Chastain is the new Executive Director. She replaces Leon M. Biegalski.

LOUISIANA

- ◆ Paul N. Hale Jr. and Timothy J. Allen are new appointees to the board. The terms of Bobby E. Price and Charles G. Coyle have expired. Bijan Sharafkhani is the board chair.

MISSOURI

- ◆ James S. Anderson is the board chair.

NEVADA

- ◆ Bud A. Cranor, Thomas A. Foote, and Dean B. Neubauer are new appointees to the board. The terms of Rita M. Lumos, J. Clark Gribben, and Dennis Anderson have expired. Todd J. Kenner is the board chair.

NEW HAMPSHIRE LS

- ◆ Earl Sandford is a new appointee to the board. The term of Donald Blanchard has expired.

NEW HAMPSHIRE PE

- ◆ William Smagula is a new appointee to the board. The term of Edward S. Kelly has expired.

OKLAHOMA

- ◆ The e-mail address for the board is admin@pels.state.ok.us.

SOUTH DAKOTA

- ◆ The Web site for the board is www.state.sd.us/dol/boards/engineer.

TENNESSEE LS

- ◆ David L. Mathews is a new appointee to the board. The term of Phillip R. Carter has expired.

TENNESSEE PE

- ◆ Sharon Byrd is a new appointee to the board. The term of Jim Cannon has expired.

VERMONT

- ◆ The new zip code for the board is 05609.

WASHINGTON

- ◆ Lisa Brown is a new member of the board. The term of Carol L. Fleskes has expired.

WISCONSIN

- ◆ The new executive director is Jerry Lowrie. He replaces Otis Nicksion.

Upcoming
EVENTS

DATE	EVENT	LOCATION
October 24	PE/PLS Examinations Administration	
October 25	FE/FLS Examinations Administration	
November 7–8	Board of Directors Meeting	Annapolis, MD
November 27–28	Office closed—Holidays	
December 25–26	Office closed—Holidays	

Exams certified for veteran administration reimbursement

Due to the recent certification of NCEES examinations, veterans of the U.S. military and their dependants are now eligible to receive reimbursement from the Office of Veterans Affairs for the actual cost of any examination offered by NCEES.

Title 38, U.S. Code of Federal Regulations, 21.4258, requires entities seeking certification for veterans' education benefits to submit an application to the proper authority in the state where the organization is chartered. NCEES determined the proper agency to be the South Carolina Commission on Higher Education, which is responsible for reviewing and certifying the application and submitting the results to the Office of Veterans Affairs.

In the application, NCEES provided evidence that its engineering and surveying examinations are "generally accepted, in accordance with relevant government, business, or industry standards, employment policies, or hiring practices as attesting to a level of knowledge or skill required to enter into, maintain, or advance employment in the particular vocation or profession."

NCEES was also required to demonstrate that it is properly incorporated in South Carolina; that it employs experts in the testing industry to assist with the development of the examinations; that NCEES issues prompt notice of the results of all examinations; and that NCEES would, upon request, make available all appropriate records pertaining to the test data of veterans or other eligible persons for inspection by the Office of Veterans Affairs or its representatives.

All examinations offered by NCEES have been certified and are eligible for reimbursement for qualified veterans and their dependants. Questions related to the process for requesting reimbursement should be directed to the Office of Veterans Affairs.

NCEES staff

Calculators *(continued from page 7)*

being posted even as you read this article. The potential for wireless communication among calculators is mushrooming. Cameras and scanning devices are becoming smaller and more accurate, easily overlooked on a multipatterned shirt. For many, gaining an engineering or surveying license is a personal accomplishment. For others it may mean the difference between career advancement or stagnation—high stakes enhancing the temptation to cheat. Exam compromise will continue to be an issue with which licensure regulators must struggle. Strictly enforcing EP 15 is an important component of maintaining the integrity of engineering and surveying licensure. Ultimately however, the protection of the public, the integrity of our professions, and significance of an engineering or surveying license lies with the examinees, most of whom are committed to their own integrity, quality work, and professional ethics.

NCEES staff

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I certify that all information stated above is true and correct.

Lessie Williams

Please send your board news, including notice of board member changes, to the editor of *Licensure Exchange*. NCEES, P.O. Box 1686, Clemson, SC 29633 or e-mail to lwiliam@ncees.org.

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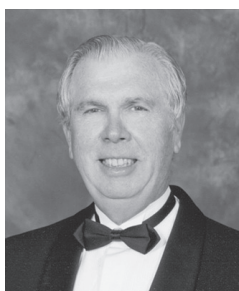
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