

ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
DIVISION OF PROFESSIONAL REGULATION
STATE BOARD OF PROFESSIONAL ENGINEERS

Open Minutes

State Board of Professional Engineers

Date: May 26, 2021
Convened: 10:04 am
Adjourned: 11:50 am
Location: WebEx

Members Present: L. Duane Yockey, Chair
Brian Berg Jr, Vice-Chair
Christy Crites, Member
Gale Jamison, Member
Sean Middleton, Member
Richard M. Ray, Member
James P. Schlichting, Member

Member(s) Absent: Kevin Burke III, Member
Philip Kunz, Public Member
John M. Whitt, Member

Staff Present: Kyle Lazell, Design Licensing Manager
Haley Lowrance, IDFPR General Counsel
Eduardo Fernandez, IDFPR Prosecuting Attorney
Roy Cepero, IDFPR Investigator

Guests Present: Ryan Roth, ISPE
Kim Robinson ISPE

Open Session: The Meeting was called to order at 10:04 am.
Roll Call: The Board Members present constituted a quorum of the Board.

**I. Board Member
Announcements,
comments**

Mr. Yockey thanked everyone for attending and asked if there were any Board announcements to share.

No announcements presented to the Board.

**II. Guest Announcements,
comments**

Mr. Roth shared that the June First Friday event is coming up and they have opened up registration for the annual ISPE conference and will be conducted virtually this year.

III. Licensing Manager Report

A. FY22 CRC Schedule

Mr. Lazell notified the Board that he recently sent the FY2022 CRC meeting schedule to the members to show who has signed up thus far as a delegate for the CRC meetings.

B. Legislative News

Mr. Lazell shared that there are few legislative Bills for the Board to be aware of.

HB 2776 – Military Licensure. Will provide an expedited process for licensure.

HB 1738 – Interior Design Registration. This is the Sunset renewal Bill for the profession. Passed in the House, currently being read in the Senate. No known issues/conflict for this profession.

HB 0246 – Landscape Architect Registration. Bill to re-regulate profession. Passed in the House, Senate committee has postponed it at this time.

IV. Review of Open Minutes

The Board reviewed the Minutes of the March 24, 2021 meeting.

Motion was made, seconded (Jamison/Schlichting) and passed to accept the open minutes of the meeting as amended. Roll Call: The Board Members present constituted a quorum of the Board.

V. Unfinished Business

A. Continued Discussion of Decoupling

Mr. Yockey shared that the Board had generally reached a consensus at the last Board meeting; however, he reminded the Board that Mr. Lazell asked the members to take time to review the information and discuss it again at this meeting prior to making a final decision.

Mr. Berg asked for clarification as to what approving this proposal would accomplish.

Mr. Lazell reminded the Board that since 2010, this Board has

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been partially decoupled for approved program candidates (EAC/ABET) and this would simply be expanding this to allow candidates without an approved degree.

He further shared that if approved and when the Rules have been amended, it would allow any candidate the ability to sit for the required examinations first and then apply to the Department for Board review to verify the education and/or experience meets the prescribed requirements in the respective Sections of the Rules.

Ms. Crites asked for clarification if individuals took the examinations for the sake of taking an exam (for reasons other than attempting to be enrolled as an EI or for licensure), would it affect the Illinois exam pass rates.

Mr. Lazell replied that based on the information provided by NCEES, the pass-rates are not the base factor for how exams are scored and that failed exam attempts would not affect the pass-rate for Illinois exams.

Mr. Yockey shared that he talked with delegates from other states who have decoupled, and they indicated that there has not been any negative impact by decoupling.

Mr. Jamison commented that he was thankful that Mr. Lazell presented this item to the Board for consideration and said that after reviewing the comments from Tim Miller at NCEES, he felt that decoupling would not be a hindrance to the profession or to the Professional Engineer license in Illinois. He further commented that this should reduce the number of applications that the Board reviews.

Motion was made, seconded (Jamison/Berg) and passed to approve the proposal and recommended to the Division to update the Rules to allow for decoupling for all candidates.
Roll Call: The Board Members present constituted a quorum of the Board.

B. Continued Discussion of
using the NCEES
Engineering Education
Standard

Mr. Lazell presented the Board with draft documents of the proposed Administrative Rule updates for the education Sections previously approved by the Board and the 2019 NCEES Engineering Education Standard and indicated how the requirements of each are very similar.

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Mr. Yockey thanked Mr. Lazell for providing the additional documents and asked the Board for comments on the proposal.

Mr. Lazell shared that he had a discussion with Stef Goodenow with NCEES, who indicated that, at present, the Illinois PE Board is the only Professional Engineering Board that does not accept the NCEES Engineering Education Standard for non-approved candidates.

He also reminded the Board, candidates who would be applying under Section 1380.220 (Non-approved program), would be subject to the required eight years of experience to be licensed as stipulated in Section 1380.230 (c) (2) of the Administrative Rules.

Mr. Jamison shared that he compared the two documents provided and said that they are generally the same – noting that while the current Illinois practice is to only accept Chemistry and Physics courses, the NCEES education standard is less restrictive for the general sciences area and allows for accepting Biology as one of the three areas of study. Given that the candidate would be required to have the additional four years of experience to be licensed, he indicated that he would be in favor of adopting the use of the NCEES Standard has the candidate should gain the necessary experience during that additional time to supplement any education deficiency that may exist.

Mr. Yockey commented that he agrees with Mr. Jamison, stating that one of his sons is on staff at the U of I School of Medicine and he works with people looking to get into the Biomedical Research field. As a result, he can appreciate the need for including Biology as an option for the general sciences area.

Mr. Berg said he would agree to the change so long as the candidate is required to have the additional experience to supplement possible courses that may be lacking in their BS degree.

After discussion, the Board consensus was to approve the proposal to use the NCEES Engineering Education Standard; however, Mr. Lazell asked that the Board table any motion until the next meeting so the missing members could provide their

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thoughts and comments on the topic.

Mr. Yockey thanked Mr. Lazell for providing the information and requested that the item be added to the agenda for the July Board meeting.

**VI. Report from
Subcommittees**

**A. Complaint Review
Committee/subcommittee**

Mr. Schlichting reported on the May 20, 2021 meeting.

Complaint Statistics based on recommendations from the March 2021 meetings for each profession:

Architect: Opened 6, Closed 0, Referred 11
LS: Opened 2, Closed 2, Referred 1
PE: Opened 5 Closed 0, Referred 6
SE: Opened 0, Closed 0, Referred 3
PDF: Opened 0, Closed 0, Referred 0

Complaints currently under investigation:

Architect – 15
LS – 10
PE – 18
SE - 6
PDF – 0

Cases currently being prosecuted:

Architect – 26
LS – 5
PE – 18
SE – 9

**B. Industrial Exemption
subcommittee**

Mr. Lazell shared that he submitted the approved Board Position Statement, along with the ISPE Position Statement and the NTSB recommendation letter to the Director's office as well as the Secretary's office for their review but he has not heard any feedback or questions pertaining to it at this time.

VII. New Business

A. NCEES Central Zone Meeting Report

Mr. Yockey shared that the Central Zone meeting was held on April 29th. He provided a summary of the meeting and said it was informative but was difficult to communicate with other jurisdictions since it was conducted virtually. Additionally, he mentioned that Sam Reed was elected Secretary-Treasurer and noted that a few of the main topics covered dealt with Fire Protection & PE Licensure as well as Executive Orders.

B. NCEES Annual Meeting updated and delegate selection

Mr. Lazell provided an update to the Board that each Board can now send three funded delegates due to recent easing of restrictions in place in New Orleans and CDC guidelines. He reminded the members that the meeting will be consist solely of the official business sessions and there will be no break-out sessions or other amenities.

He requested the Board member names who would function as the delegates for the Board.

After discussion, Mr. Yockey, Mr. Berg and Mr. Schlichting indicated they would be willing to attend as the PE Board delegates.

C. Review of IDFPR clarification document regarding Forensic Engineering

Mr. Lazell provided the Board with a draft document for review, noting that this is strictly for internal department use to assist with training of employees to better determine when certain aspects of forensic engineering would rise to the level of being outside the scope of practice for the PE profession.

He stated he also requested the SE Board review it as well to additionally provide feedback. Upon review of the information, the SE Board felt that the document could limit the ability for a PE Board member to make a sound determination about experience as each project & candidate are inherently unique and further commented that having a broad view of the topic allows the Board to review experience on a case by case basis and recommended

The Board reviewed the document and agreed with the SE Board assessment and recommended that the Division continue to rely on the Board for review and acceptance of forensic engineering experience.

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- Motion to go into Closed Session:** Motion was made, seconded (Crites/Ray) and passed to go into Closed Session pursuant to Section 2C (4) & (15) of the Open Meetings Act at 11:29 am.
- VIII. Closed Session:** Roll Call: The Board Members present constituted a quorum of the Board.
- A. Review of Closed Minutes
The Board reviewed the closed minutes of the March 24, 2021 meeting.
- B. Application Review/discussion
- Motion to go into Open Session:** Motion was made, seconded (Ray/Berg) and passed to go into Open Session at 11:47 am.
Roll Call: The Board Members present constituted a quorum of the Board.
- Motion to accept Recommendations:** Motion was made, seconded (Berg/Crites) and passed to accept the recommendations made in Closed Session.
Roll Call: The Board Members present constituted a quorum of the Board.
- Motion to keep Closed Minutes closed:** Motion was made, seconded (Berg/Crites) and passed to keep the closed minutes closed. Roll Call: The Board Members present constituted a quorum of the Board.
- IX. Reminders** Mr. Lazell reminded the Board that the next scheduled meeting is July 29, 2021.
- X. Adjournment** Motion was made, seconded (Schlichting/Jamison) and passed to adjourn. Roll Call: The Board Members present constituted a quorum of the Board.
- Meeting adjourned at 11:50 am.