



**PROFESSIONAL ENGINEERS SECTION
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS, AND PROFESSIONAL LAND SURVEYORS
Room 121B, 1400 East Washington Avenue, Madison
Contact: Brittany Lewin (608) 266-2112
December 14, 2016**

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

8:30 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A) Adoption of Agenda (1-3)**
- B) Approval of Minutes – December 5, 2016 (4-6)**
- C) Administrative Updates**
 - 1) Department and Staff Updates
- D) NCEES Member Board Executives Committee Meeting Report**
- E) Presentation from Wisconsin Society of Professional Engineers Regarding Potential Statutory Change Regarding Applicants with an Associate Degree (7-11)**
- F) Legislation and Rule Matters – Discussion and Consideration (12-20)**
 - 1) Review and Discussion of Proposed Rule Language for A-E 13, Relating to Continuing Education
 - 2) Update on Pending Legislation and Pending and Possible Rulemaking Projects
- G) Items Added After Preparation of Agenda:**
 - 1) Introductions, Announcements and Recognition
 - 2) Election of Section Officers
 - 3) Appointment of Section Liaisons
 - 4) Administrative Updates
 - 5) Education and Examination Matters
 - 6) Credentialing Matters
 - 7) Practice Matters
 - 8) Legislation/Administrative Rule Matters
 - 9) Liaison Reports
 - 10) Informational Items
 - 11) Disciplinary Matters

- 12) Presentations of Petitions for Summary Suspension
- 13) Petitions for Designation of Hearing Examiner
- 14) Presentation of Proposed Stipulations, Final Decisions and Orders
- 15) Presentation of Proposed Final Decisions and Orders
- 16) Presentation of Interim Orders
- 17) Petitions for Re-Hearing
- 18) Petitions for Assessments
- 19) Petitions to Vacate Orders
- 20) Requests for Disciplinary Proceeding Presentations
- 21) Motions
- 22) Petitions
- 23) Appearances from Requests Received or Renewed
- 24) Speaking Engagement(s), Travel, or Public Relation Request(s)

H) 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.).

I) Credentialing Matters

1) Application Review

- a) Alam, Ashraful
- b) Burch, Brian T.
- c) Calhoun, Gregory R.
- d) Chin, Francis K.
- e) Correll, Jacob R.
- f) Hamini, Sajad A.
- g) Hedegaard, Brock D.
- h) Kneeland, Christopher
- i) Marshall, Sarah
- j) Martz, Sarah M.
- k) McKinney, Sean
- l) Peacock, Russell W.
- m) Reinbacher, Scott
- n) Sebens, Justin D.
- o) Shadlu, Amir B.
- p) Sharma, Arun
- q) Ye, Zhen Z.

2) Reinstatement Requests

- a) Sheikh, Atif M.

L) Deliberation on Division of Legal Services and Compliance (DLSC) Matters

M) Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) Application Review
- 4) Disciplinary Matters
- 5) Monitoring Matters
- 6) Professional Assistance Procedure (PAP) Matters
- 7) Petitions for Summary Suspensions

- 8) Petitions for Designation of Hearing Examiner
- 9) Proposed Stipulations, Final Decisions and Order
- 10) Administrative Warnings
- 11) Review of Administrative Warnings
- 12) Proposed Final Decisions and Orders
- 13) Matters Relating to Costs/Orders Fixing Costs
- 14) Case Closings
- 15) Proposed Interim Orders
- 16) Petitions for Assessments and Evaluations
- 17) Petitions to Vacate Orders
- 18) Remedial Education Cases
- 19) Motions
- 20) Petitions for Re-Hearing
- 21) Appearances from Requests Received or Renewed

N) Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

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

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

Q) Future Agenda Items

ADJOURNMENT

NEXT MEETING DATE – JANUARY 26, 2017

**PROFESSIONAL ENGINEER SECTION
OF THE EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS AND PROFESSIONAL LAND SURVEYORS
MEETING MINUTES
October 5, 2016**

PRESENT: Kristine Cotharn, Steven Hook, Mark Mayer
EXCUSED: Joseph Eberle
STAFF: Brittany Lewin, Executive Director; and Nifty Lynn Dio, Bureau Assistant; and other Department staff

CALL TO ORDER

Mark Mayer, Chair, called the meeting to order at 11:04 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

MOTION: Steven Hook moved, seconded by Kristine Cotharn, to approve the minutes of August 4, 2016 as published. Motion carried unanimously.

APPOINTMENT OF LIAISONS FOR AFFIDAVIT OF NON-PRACTICE AND WAIVER REQUESTS

MOTION: Kristine Cotharn moved, seconded by Steven Hook, to appoint and delegate Kris Cotharn and Steven Hook as continuing education liaisons to review and make decisions for affidavit of non-practice and hardship waiver requests. Motion carried unanimously.

CLOSED SESSION

MOTION: Kristine Cotharn moved, seconded by Steven Hook, 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.). Joseph Eberle 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 11:30 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 11:39 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.

CREDENTIALING MATTERS

Application Review

MOTION: Steven Hook moved, seconded by Kristine Cotharn, to approve the professional engineer registration application for the following individuals once all requirements are met:

- | | |
|-------------------------|--------------------------|
| 1. Abdelrahman, Aymen M | 19. Maas, Jopseh A |
| 2. Axt, Andrew J | 20. Malayappan, Verra |
| 3. Bina, Alexander J | 21. Marks, Ryan K |
| 4. Bogle, Kirk A | 22. Marshall, Lucas |
| 5. Bower, Nicholas D | 23. Marsicek, Gregory J |
| 6. Brugman, Carolyn | 24. Mattox, David Adam J |
| 7. Chartre, Michael T | 25. Mclean, Kyle |
| 8. Dahms, Timothy R | 26. Murdaugh, Michael |
| 9. DesJarluis, James T | 27. Mustafa, S Alobaidi |
| 10. Dimodica, Adam | 28. Nelson, Ryan J |
| 11. Flick, Robin D | 29. Nettesheim, Justin R |
| 12. Garbe, Amy | 30. Neid, Joseph |
| 13. Hoehn, Tyler R | 31. Plier, Andrew |
| 14. Hoffmann, Joshua M | 32. Schave, Daniel L |
| 15. Howell, Sean P | 33. Shinde, Puja D |
| 16. Jasperson, Benjamin | 34. VanStraten, Luke A |
| 17. Ledgerer, AndrwJ | 35. Vasudevan, Sneha |
| 18. Lohr, Jason | |

Motion carried unanimously.

MOTION: Kristine Cotharn moved, seconded by Steven Hook, to approve the EIT application of Pearl May, once all requirements are met. Motion carried unanimously.

The application of Keith Schueller was tabled

Reinstatement Requests

MOTION: Steven Hook moved, seconded by Kristine Cotharn, to approve the reinstatement of the professional engineer registration of the individuals listed below, once all requirements are met:

1. Frank Cuda
2. Jeffry Gatlin
3. Joseph Meyer

Motion carried unanimously.

ADJOURNMENT

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

The meeting adjourned at 11:40 a.m.

DRAFT

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

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Nifty Lynn Dio, Bureau Assistant On behalf of Brittany Lewin, Executive Director		2) Date When Request Submitted: 12/08/2016 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Professional Engineer Section			
4) Meeting Date: 12/14/2016	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Presentation from Wisconsin Society of Professional Engineers Regarding Potential Statutory Change Regarding Applicants with an Associate Degree	
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: N/A	
10) Describe the issue and action that should be addressed: Please see the attachments submitted by Glen Schwalback, P.E., on behalf of the Wisconsin Society of Professional Engineers			
11) Authorization			
Nifty Lynn Dio		12/08/2016	
Signature of person making this request		Date	
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.			

"A Serious Concern for Wisconsin"

Summary Page
September 19, 2016

Request to Wisconsin Legislature:

Revise the statute which describes qualifications for an applicant to sit for the exams leading to registration as a Wisconsin Professional Engineer (P.E.) as follows:

****Amend 443.04(1m) of the statutes to read:** A diploma of graduation, or a certificate, from an engineering school or college approved by the professional engineer section as of satisfactory standing in an engineering course of not less than 4 years or a diploma of graduation or degree from a technical college approved by the professional engineer section as of satisfactory standing in an engineering related course of study of not less than 2 years.

****Repeal 443.04(2m)(b) of the statutes:** For an applicant possessing a diploma or degree from a course of study of not less than 2 years as specified in sub. (1m), a specific record of 6 or more years of experience in engineering work of a character satisfactory to the professional engineer section and indicating that the applicant is competent to be placed in responsible charge of engineering work.

Reasons:

1. Only a baccalaureate engineering program meets the education requirements to prepare a person to practice professional engineering in a manner which protects public safety and welfare. This premise is as stated by ABET, which accredits two-year associate degree and four-year baccalaureate engineering technology programs and four-year baccalaureate engineering programs. In addition, the National Council of Examiners for Engineering and Surveying (NCEES) have determine that post-graduate education is necessary in today's complex world of engineering to prepare a person for the duties of a P.E.. NCEES prepares national exams and provides guidance to their member state regulators as to the minimum requirements for licensure or registration of Professional Engineers and Land Surveyors.
2. It has been well-established for decades of experience that the preparation of a P.E. is a three-legged stool consisting of a baccalaureate education, satisfactory completion of formal examinations and a number of years of related experience under the direction of Professional Engineers. Each leg is necessary and cannot substitute for another to protect public safety and welfare.
3. The current provision regarding associate degrees puts Wisconsin out of sync with other states. The five states surrounding Wisconsin require baccalaureate engineering degrees or equivalents to be licensed P.E.'s in their states. They do not accept associate degree programs and three of them specifically don't even accept baccalaureate programs in engineering technology. This is important for Wisconsin engineering companies who look to do projects outside of Wisconsin because to do such work their P.E.'s have to get comity from the other states. It is easier to get comity when Wisconsin laws are similar to theirs.
4. Current law misleads students, parents and educators as to the correct education path to take to reach their career goals. Valuable time and money is wasted when a student who is capable of becoming an Professional Engineer is led to believe there is a shortcut to that end.

For more info, contact: Glen R. Schwalbach, P.E.

V-P Government Affairs, Wisconsin Society of Professional Engineers

~~Cell: 608-222-1111, email: gschwalbach@wspeng.org~~

"A Serious Concern for Wisconsin"

December 2016

Wisconsin statute contains a provision which negatively impacts the quality of our workforce. In the least, it would waste the time and money of Wisconsin students and, in the worse, endanger the health and safety of Wisconsin citizens. The provision gives other states the perception that Wisconsin has lowered the bar for the licensing of professional engineers. Before the statute was changed by 2009 Wisconsin Act 350, it required that applicants for the exams for a Wisconsin Professional Engineer's (P.E.) license shall have a four-year baccalaureate engineering degree. The change in the statute in 2009 states that now technical college (WTC) graduates with a two-year associate degree in an engineering-related field should be considered to sit for the exams as well. This change was inappropriate. Also, there is no reference in the current statute to allowing individuals with a four-year engineering technology degree to be considered to sit for the exams. Such degrees fall between the two-year engineering technology degree and the four-year engineering degree.

Two-year and four-year engineering technology programs and four-year engineering programs all have very different curriculum content even though the names of the specific courses within each program may be the same. A two-year engineering technology program is usually just algebra-based and develops a technician. A four-year engineering technology program is usually calculus-based and develops a technologist. A four-year engineering program is always calculus-based and develops an engineer. ABET, which accredits the three types of programs, uses different outcome criteria to accredit engineering technology versus engineering programs. ABET indicates that only an ABET four-year engineering program prepares a graduate for P.E. licensure.

Engineers who are familiar with the rigors of getting an accredited four-year engineering degree and then passing two 8-hour exams may just roll their eyes and write this off as misguided government regulation which will do no harm since technical college graduates will not be able to pass the exams. But, beyond this likely result, there are serious negative implications which increase the confusion among students, parents, and educators as to the proper educational path to become qualified to fill the roles of technicians, technologists, engineers and beyond. The "beyond" is the Professional Engineer who is the engineer who passes the licensing exams and meets the experience requirements under the supervision of Professional Engineers and then can become licensed themselves as P.E.'s.

First concern -- students who are trying to decide whether to enter a two-year engineering technology program, a four-year engineering technology program or an accredited four-year engineering program may be misled by current statute to think the two-year program would meet the education requirement for a path to P.E. licensure. (Note that the latest national pass rate for **four-year**, ABET-accredited graduates for the first exam ranged from 53% to 86% and for the second exam it ranged from 35% to 80%, depending upon the discipline). The implication here is that, in Wisconsin, students who are capable of completing an accredited four-year engineering program might choose instead to spend two years in an associate engineering technology program only to find out they do not have the necessary education to achieve their goals. They not only would have wasted their time and money but also may no longer be in a position to pursue the four-year degree. In these cases, Wisconsin loses potential engineers in its workforce.

Second concern -- it seems the WTC's do not understand the interactive dynamics of the job roles for graduates of WTC's and graduates of engineering schools. Two-year

engineering technicians, four-year engineering technologists and four-year engineers need to be educated for specific roles. Depending upon each school's program offerings, WTC's produce technicians and some even provide the first two years of a four-year engineering technology program or can feed students into an engineering program. Those WTC graduates who become employed in engineering-type activities are vital to the engineering team and are relied upon by engineers for their unique technician/technologist training. WTC's need to focus on their role to train technicians and technologists and understand that they do not graduate engineers. Their position on licensure reflects this misunderstanding.

Third concern -- the WTC's may have a misconception about how the elimination of the two-year associate degree provision in the current law would impact opportunities for their graduates. Employers have said they will not hire two-year associate degree graduates even if the graduates did pass the licensing exams. Employers require the experience of completing a four-year accredited engineering degree and cannot risk the liability from employing an under-educated person for an engineering job. So, the current law does not provide additional jobs for their graduates even if they could pass the licensing exams.

Fourth concern -- some of the original support for the two-year provision came from Senator Cogg, then chair of the committee which approved the original bill. Senator Cogg would not act on the bill unless the WTC's got their wish. But he misunderstood the impact on opportunities for two-year graduates. Because some WTC technician graduates move into jobs with titles such as maintenance engineer, boiler engineer, communication engineer, etc., the perception was that these jobs would be affected. But, in such cases, these jobs do not require an engineering degree and are actually misnamed. These jobs certainly do not require P.E. licensure and, thus, a change in current law back to the previous provisions would not affect these opportunities for two-year WTC graduates.

Fifth concern -- Just the presence of language in the statute referring to a two-year associate degree has raised a red flag in other states and their licensing boards. Wisconsin licensed P.E.'s often seek projects outside of Wisconsin but need to be licensed in the other state in which the project exists. If the other state recognizes that Wisconsin's P.E. license requirements are equivalent to theirs, they will provide comity, often referred to as reciprocity, for the Wisconsin P.E. to do projects in their state. But, with the two-year provision in Wisconsin's current law which other states do not have, the process for comity is likely to get more difficult and time-consuming for the Wisconsin P.E.'s. This could reduce the opportunities for Wisconsin P.E.'s and, thus, opportunities for other members of their engineering teams such as technicians and technologists.

Sixth concern -- It should be pointed out that even if a WTC engineering technology graduate would happen to pass the P.E. licensure exams, this accomplishment is not sufficient by itself to protect the safety and health of the public. The path to licensure is a three-legged stool comprised of education, examination and experience. Each leg must be strong by itself and no leg can substitute for another. The education leg requires at least four years of, first, learning the fundamentals of engineering, then the advanced related science and the application of the scientific method to problem-solving in multiple facets of the discipline. Four years of education is the minimum amount of time to set the foundation for a qualified engineer.

Wisconsin law treats qualifications for the practice of law and the practice of engineering differently in an ironic way. Wisconsin appears to be unique in that, if you have the required law education, you do not have to take the bar exam. Yet, to practice engineering, the law suggests the education is not important as long as the exams are

passed. As indicated above, the engineering education is essential as are the exams and experience.

The current Wisconsin statute does require an associate degree graduate who might pass the exams to have six years of experience versus the four years required of a baccalaureate graduate before receiving a P.E. license. But two years of experience does not come close to making up for the difference in the two years of a technician's training and the four years of an engineering education.

The new credit transfer agreement between the WTC's and some engineering schools is a good thing for students and facilitates the achievement of a four-year degree in many areas including engineering technology and even engineering. But the first two years of such programs are specifically designed to flow into a four-year program. It is up to the four-year schools to manage the risks of losing their accreditation if the first two years are not adequately bridged. Ironically, the current language of the statute leaves some doubt whether a graduate of a four-year, calculus-based engineering technology program can sit for the exam while the statute states a two-year graduate in an engineering-related field, whatever that means, should be considered.

Also, ironically, this provision in current Wisconsin law became effective at a time when the National Council of Examiners for Engineering and Surveying (NCEES), the authors of the national P.E. exams and the model for P.E. licensing laws, has determined that, in today's world of new scientific discoveries, fast-changing technology, complex environmental issues and more government regulatory challenges, a four-year degree will not be adequate for P.E. licensure and the responsibilities which go with it. Their draft model law for P.E. licensure proposes a four-year accredited engineering degree plus a Master's degree or other post-graduate options to apply for a P.E. license. NCEES' model law is intended to be the guidepost for future state legislation or regulation. The reason is public safety, not a "barrier to entry".

One more note--in, at least, one state, a lawsuit has been filed against a school for not providing sufficient education in a program for which they implied would lead to a nursing license. Are the WTC's being set up for a similar situation with the two-year provision for P.E. licensure in current Wisconsin statute?

Solution:

****Amend 443.04(1m) of the statutes to read:** A diploma of graduation, or a certificate, from an engineering school or college approved by the professional engineer section as of satisfactory standing in an engineering or engineering technology course of not less than 4 years.

****Repeal 443.04(2m)(b) of the statutes:** ~~For an applicant possessing a diploma or degree from a course of study of not less than 2 years as specified in sub. (1m), a specific record of 6 or more years of experience in engineering work of a character satisfactory to the professional engineer section and indicating that the applicant is competent to be placed in responsible charge of engineering work.~~

The Wisconsin Society of Professional Engineers is available to clarify any of the foregoing and to answer any other questions on this subject.

Prepared by Glen R. Schwalbach, P.E.

Contact information:


AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Dale Kleven Administrative Rules Coordinator		2) Date When Request Submitted: 12/2/16 Items will be considered late if submitted after 12:00 p.m. on the deadline date: ▪ 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Professional Engineer Section			
4) Meeting Date: 12/14/16	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Legislation and Rule Matters – Discussion and Consideration 1. Review and Discussion of Proposed Rule Language for A-E 13 Relating to Continuing Education 2. Update on Pending Legislation and Pending and Possible Rulemaking Projects	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both		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			
<i>Dale Kleven</i>		<i>December 2, 2016</i>	
Signature of person making this request		Date	
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 13

CONTINUING EDUCATION FOR PROFESSIONAL ENGINEERS

A-E 13.01 Authority and purpose. The rules in this chapter are adopted under the authority in ss. 15.08 (5) (b), 227.11 (2), and 443.015, Stats., and govern biennial continuing education for professional engineer registrants.

A-E 13.02 Definitions. As used in this chapter:

- (1) "Biennium" means a 2-year period beginning August 1 of each even-numbered year.
- (2) "College semester hour" means receiving credit for completing a regularly offered course in a school or college of engineering accredited by the EAC/ABET that has testing with a passing grade required and has provisions for additional out-of-class study requirements. Credit for college approved courses will be based upon course credit established by the college. One "college semester hour" equals 45 PDHs. Monitoring or auditing courses that do not require regular testing with a passing grade will only count the actual class contact hours.
- (3) "College quarter hour" means receiving credit for completing a regularly offered course in a school or college of engineering accredited by the EAC/ABET that has testing with a passing grade required and has provisions for additional out-of-class study requirements. Credit for college approved courses will be based upon course credit established by the college. One "college quarter hour" equals 30 PDHs. Monitoring or auditing courses that do not require regular testing with a passing grade will only count the actual class contact hours.
- (4) "Continuing education" means the planned, professional development activities designed to contribute to the advancement, extension and enhancement of the professional skills and scientific knowledge of the registrant in the practice of professional engineering. Regular duties are not considered qualifying activities.
- (5) "Continuing education unit" or "CEU" means a unit of credit customarily used for continuing education courses. One "continuing education unit" equals 10 PDHs.
- (6) "Course" or "activity" means any qualifying "course" or "activity" with a clear purpose and objective that will maintain, improve, or expand the skills and knowledge relevant to the registrant's practice of professional engineering.
- (7) "EAC/ABET" means the Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology.
- (8) "Professional development hour" or "PDH" means a period of 50 minutes of actual instruction or participation spent by the registrant in actual attendance or completion of an approved educational activity. "PDHs" should be rounded down to the nearest half hour and reported in increments of half hour with no activity of under a half hour being acceptable as qualifying for "PDH" credit. "PDHs" shall not exceed the actual contact clock hours of actual attendance.

A-E 13.03 Continuing education requirements.

(1)

- (a) Beginning in the biennial registration period commencing August 1, 2012 and ending July 31, 2014, unless granted a waiver under s. A-E 13.08, every registrant shall complete at least 30 hours of approved PDHs or equivalent continuing education units, pertinent to the practice of professional engineering, except that between initial registration and the first renewal period, a new registrant shall not be required to comply with the continuing education requirements for the first renewal of registration.
- (b) During each biennial registration period, the registrant shall complete a minimum of 2 PDHs in the area of professional conduct and ethics.

- (c) During each biennial registration period, credit for a minimum of 13 PDHs shall be obtained via courses where the registrant interacts in real time in a traditional classroom setting, computer conferencing, or interactive video conference where participants are present in the same room or logged in at the same time and can communicate directly with each other and ask questions of the instructor.
- (d) If a registrant obtains more than 30 PDHs in a biennium, a maximum of 15 of the excess PDHs may be used toward the continuing education requirement in the next biennium. Excess credits cannot be used to satisfy the requirements of par. (b) or (c).
- (2) Continuing education may be obtained through any of the following means:
 - (a) Completing courses taken at a school or college of engineering accredited by the EAC/ABET.
 - (b) Completing short courses or tutorials and distance education courses offered through correspondence, DVDs, or the internet.
 - (c) Presenting or attending qualifying seminars, in-house courses, workshops, or professional or technical presentations made at meetings, conventions, or conferences.
 - (d) Teaching or instructing in pars. (a) to (c). PDHs may only be counted for the initial offering or presentation of a course or program. Full-time faculty may not claim PDHs for teaching done as part of their regular duties. For teaching in pars. (a) to (d), multiply the PDHs earned by a factor of 2.
 - (e) Authoring published papers, articles, or books in the registrant's area of professional practice that has been published in book form or in circulated journals or trade magazines. Five PDHs will be granted in the biennium in which each publication occurred. For peer reviewed papers, articles, or books in the registrant's area of professional practice, 10 PDHs will be granted in the biennium in which each publication occurred.
 - (f) Actively participating in professional and technical societies. A maximum of 2 PDHs will be awarded for active participation as an officer or committee member in any one society in any one year. A maximum of 4 PDHs may be obtained under this paragraph in any biennium. PDHs are not earned until the end of each year of service is completed.
 - (g) Attainment of a patent relevant to the registrant's area of professional practice. Ten PDHs will be awarded for each patent.
- (3) Except as provided in s. A-E 13.08, a professional engineer who fails to meet the continuing education requirements by the renewal date, as specified in s. 440.08 (2) (a) 35., Stats., may not engage in the practice of professional engineering until the registration is renewed ~~in accordance with ss. A-E 2.05 and 13.10~~ based upon compliance with the continuing education requirements under this chapter.

A-E 13.04 Examples of qualifying activities. The following are examples of qualifying activities:

- (1) Completing or attending courses, seminars, instruction, in-house programs, or training of engineering content related to the registrant's practice of professional engineering.
- (2) Attending technical or professional society meetings when an engineering topic is presented as a principal part of the program.
- (3) Teaching a course for the first time or teaching a course previously taught if substantial time was spent in updating material.
- (4) Attending webinar courses where attendance is verified and program material meets the requirements.
- (5) Completing correspondence courses on an engineering topic where lessons are prepared and returned for correction, grading, or both, and where testing at the end of the course is required.

A-E 13.05 Standards for approval.

- (1) To be approved for PDHs, a continuing education program shall meet all of the following criteria:
 - (a) The program includes instruction in an organized method of learning contributing directly to the professional competency of the registrant and pertaining to subject matters which integrally relate to the practice of the profession.

- (b) The program is conducted by individuals who have specialized education, training, or experience and are considered qualified concerning the subject matter of the program.
- (c) The program fulfills pre-established goals and objectives.
- (d) The program provides attendance verification records in the form of completion certificates or other documents supporting evidence of attendance.

(1m) The professional engineer section may approve providers for continuing education programs, including the following:

- (a) A school of engineering approved by the educational approval board.
- (b) Colleges, universities, and other degree granting institutions approved by an accrediting agency published by the United States Department of Education.
- (c) National Council of Examiners for Engineering and Surveying or its affiliates.
- (d) National Society of Professional Engineers or its affiliates.
- (e) National Council of Structural Engineers Association or its affiliates.
- (f) American Council of Engineering Companies or its affiliates.
- (g) American Society of Civil Engineers or its affiliates.
- (h) American Society of Mechanical Engineers or its affiliates.
- (i) American Society of Plumbing Engineers or its affiliates.
- (j) American Society of Heating, Refrigerating, and Air-Conditioning Engineers or its affiliates.
- (k) Occupational Safety and Health Administration Training Institute Education Centers.
- (L) Federal Highway Administration.
- (m) Federal Emergency Management Agency.
- (n) National Highway Institute.
- (o) Homeland Security Systems Engineering and Development Institute.
- (p) National Fire Protection Association.
- (q) Institute of Electrical and Electronics Engineers.
- (r) Other providers as approved by the professional engineer section or its designee.

(2) The professional engineer section has final authority with respect to acceptance of activities, courses, credit, PDH value for courses, and other methods of earning PDHs, ~~except the following are examples of accepted providers for continuing education programs:~~

- ~~(a) Colleges, universities, or other EAC/ABET approved educational institutions approved by the professional engineer section.~~
- ~~(b) Continuing education courses meeting all the requirements of the International Association for Continuing Education and Training.~~
- ~~(c) Technical or professional societies or organizations as approved by the professional engineer section or its designee.~~
- ~~(d) Other providers as approved by the professional engineer section or its designee.~~

A-E 13.06 Certificate of completion; proof of attendance.

(1) Each registrant shall certify on the renewal application full compliance with the continuing education requirements set forth in this chapter.

(1m) The professional engineer section may require additional evidence demonstrating compliance with the continuing education requirements under this chapter, including a certificate of attendance or documentation of completion or credit for the courses completed.

(2) The professional engineer section may conduct a random audit of its registrants on a biennial basis for compliance with these requirements. It is the responsibility of each registrant to retain or otherwise produce evidence of compliance.

(3) If a request for evidence of compliance is requested by the professional engineer section or its designee, the registrant shall submit the requested information or documentation within 30 days of receiving the written notice. Failure to do so will result in denial of registrant's application for renewal.

A-E 13.07 Recordkeeping.

(1) A registrant shall maintain records of their continuing education units and PDHs earned for a minimum of the 3 most recent biennia on a form approved by the professional engineer section.

(2) Records required include but are not limited to attendance verification records in the form of completion certificates or other documents supporting evidence of attendance.

(3) If a continuing education course was awarded CEUs, the CEUs shall be converted by the applicant or registrant to PDHs for recordkeeping purposes.

A-E 13.08 Waiver of continuing education.

(1) A renewal applicant who is unable to fully comply with the continuing education requirements due to extreme hardship may submit a written request for a waiver. The professional engineer section or its designee will review the request, and in its sole discretion, may grant a full or partial waiver, or extension of time to comply with the requirements.

(2) In this section, "extreme hardship" means an inability to fulfill the continuing education requirements during the applicable renewal period because of one of the following:

(a) Full-time service in the uniformed services of the United States for a period of at least one year during the biennium.

(b) An incapacitating illness documented by a statement from a licensed physician.

(c) A physical inability to travel to the sites of approved programs documented by a licensed physician.

(d) Any other extenuating circumstances acceptable to the professional engineer section.

(3) A renewal applicant may not receive a waiver under sub. (2) (b) or (c) for 2 consecutive biennia.

(4) A renewal applicant who has maintained an active Wisconsin license for a minimum of 30 consecutive years may, at the discretion of the professional engineer section or its designee, receive a waiver upon request and certification that the applicant has retired from the profession and is no longer providing engineering services.

(5) A renewal applicant who receives a waiver under sub. (4) may not engage in the practice of professional engineering until he or she meets the requirements of s. A-E-13.10 the registration is renewed based upon compliance with the continuing education requirements under this chapter, except no more than 60 PDHs may be required for renewal under this subsection.

(6) A renewal applicant, who prior to the expiration date of the license submits a request for a waiver, pays the renewal fee and provides a statement setting forth the facts concerning noncompliance and the basis of the request, shall be deemed to be in good standing until the final decision on the application is issued by the

professional engineer section. If a finding of extreme hardship is not determined, an applicant may not engage in the practice of professional engineering until ~~he or she meets the requirements of s. A-E 13.10~~ the registration is renewed based upon compliance with the continuing education requirements under this chapter.

A-E 13.09 Comity. ~~An~~ The professional engineer section may require an applicant for registration from another state who applies for registration to practice professional engineering under s. A-E 4.08 (2), ~~shall~~ to submit proof of completion of 30 PDHs of qualifying continuing education that complies with the requirements of ch. A-E 13 within the 2 year period prior to their application. However, an applicant by comity who has received his or her first license as a professional engineer within the last two years shall be exempt from meeting the 30 PDHs specified in s. A-E 13.03 (1) as required for continuing education requirements and shall not be required to comply with the continuing education requirements for their first renewal of registration.

~~**A-E 13.10 — Late renewal.** A renewal applicant who has failed to renew his or her credential by the established renewal date shall obtain all required PDHs and submit a record with information as specified under s. A-E 13.07 prior to the registrant's registration being renewed. If the total delinquent PDHs exceed 60 for all renewal periods since their last renewal, then 60 shall be the maximum required for late renewal. An applicant who has failed to be registered for a period greater than 5 years shall be subject to the provisions of s. A-E 2.05 (2).~~

TEXT OF RULE

SECTION 1. A-E 13.03 (3) is amended to read:

A-E 13.03 (3) Except as provided in s. A-E 13.08, a professional engineer who fails to meet the continuing education requirements by the renewal date, as specified in s. 440.08 (2) (a) 35., Stats., may not engage in the practice of professional engineering until the registration is renewed in accordance with ss. A-E 2.05 and 13.10 based upon compliance with the continuing education requirements under this chapter.

SECTION 2. A-E 13.05 (1m) is created to read:

A-E 13.05 (1m) The professional engineer section may approve providers for continuing education programs, including the following:

- (a) A school of engineering approved by the educational approval board.
- (b) Colleges, universities, and other degree granting institutions approved by an accrediting agency published by the United States Department of Education.
- (c) National Council of Examiners for Engineering and Surveying or its affiliates.
- (d) National Society of Professional Engineers or its affiliates.
- (e) National Council of Structural Engineers Association or its affiliates.
- (f) American Council of Engineering Companies or its affiliates.
- (g) American Society of Civil Engineers or its affiliates.
- (h) American Society of Mechanical Engineers or its affiliates.
- (i) American Society of Plumbing Engineers or its affiliates.
- (j) American Society of Heating, Refrigerating, and Air-Conditioning Engineers or its affiliates.
- (k) Occupational Safety and Health Administration Training Institute Education Centers.
- (l) Federal Highway Administration.
- (m) Federal Emergency Management Agency.
- (n) National Highway Institute.
- (o) Homeland Security Systems Engineering and Development Institute.
- (p) National Fire Protection Association.
- (q) Institute of Electrical and Electronics Engineers.
- (r) Other providers as approved by the professional engineer section or its designee.

SECTION 3. A-E 13.05 (2) is amended to read:

A-E 13.05 (2) The professional engineer section has final authority with respect to acceptance of activities, courses, credit, PDH value for courses, and other methods of earning PDHs, ~~except the following are examples of accepted providers for continuing education programs:~~

~~—— (a) Colleges, universities, or other EAC/ABET approved educational institutions approved by the professional engineer section.~~

~~—— (b) Continuing education courses meeting all the requirements of the International Association for Continuing Education and Training.~~

~~—— (c) Technical or professional societies or organizations as approved by the professional engineer section or its designee.~~

~~—— (d) Other providers as approved by the professional engineer section or its designee.~~

SECTION 4. A-E 13.06 (1m) is created to read:

A-E 13.06 (1m) The professional engineer section may require additional evidence demonstrating compliance with the continuing education requirements under this chapter, including a certificate of attendance or documentation of completion or credit for the courses completed.

SECTION 5. A-E 13.08 (5) and (6) are amended to read:

A-E 13.08 (5) A renewal applicant who receives a waiver under sub. (4) may not engage in the practice of professional engineering until ~~he or she meets the requirements of s. A-E 13.10~~ the registration is renewed based upon compliance with the continuing education requirements under this chapter, except no more than 60 PDHs may be required for renewal under this subsection.

(6) A renewal applicant, who prior to the expiration date of the license submits a request for a waiver, pays the renewal fee and provides a statement setting forth the facts concerning noncompliance and the basis of the request, shall be deemed to be in good standing until the final decision on the application is issued by the professional engineer section. If a finding of extreme hardship is not determined, an applicant may not engage in the practice of professional engineering until ~~he or she meets the requirements of s. A-E 13.10~~ the registration is renewed based upon compliance with the continuing education requirements under this chapter.

SECTION 6. A-E 13.09 is amended to read:

A-E 13.09 Comity. ~~An~~ The professional engineer section may require an applicant for registration from another state who applies for registration to practice professional engineering under s. A-E 4.08 (2), shall to submit proof of completion of 30 PDHs of qualifying continuing education that complies with the requirements of ch. A-E

13 within the 2 year period prior to their application. However, an applicant by comity who has received his or her first license as a professional engineer within the last two years shall be exempt from meeting the 30 PDHs specified in s. A-E 13.03 (1) as required for continuing education requirements and shall not be required to comply with the continuing education requirements for their first renewal of registration.

SECTION 7. A-E 13.10 is repealed.

SECTION 8. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)
