

Board of Engineers and Architects
Record of Board's Actions, Policies, Procedures & Information

POLICY NUMBER	SUBJECT	SUMMARY	MEETING DATE
16.03	Reference Forms for E.I. Enrollment and P.E. Exam Applications	Satisfactory references submitted to the Board in connection with a P.E. exam application will also satisfy E.I. enrollment reference requirements when: <ul style="list-style-type: none"> • The information requested by the Board from E.I. enrollment references is also requested from P.E. exam references, and • Both references and applications are received within a 12 month period. 	6/23/2016
16.02	CE Carryover from Initial Renewal Period	Professional engineers who complete more than 30 ECE hours, and architects who complete more than 24 ACE hours, in their initial renewal period are eligible to carry over excess CE credits, subject to the limitations described in Chapter 9 of the rules.	3/24/2016
16.01	Renewal Disclosures Authorized to be Administratively Reviewed	An applicant's prior criminal or disciplinary history from any jurisdiction may be considered by the Board as part of the application process for initial licensure, comity licensure, or examination. The existence of such history is not an automatic bar to being licensed or to be allowed to take examinations, nor is disclosure intended to automatically require consideration of discipline by the Board. The review and evaluation of disclosure statements provided by applicants during the licensing or examination application process may be performed by the Executive Director with the assistance of Board staff. However, the Board must review disclosures which an applicant has not previously disclosed and which indicate: <ol style="list-style-type: none"> 1. Felony convictions; 2. Probation, suspension, or revocation of an architect or professional engineer license in another jurisdiction; 3. Repetitive or multiple violations; or 4. Evidence of unfitness to practice the profession. 	3/24/2016
15.01	Issuance of Temporary Permit with Certificate of Authorization	Policy deleted	6/23/2016
14.09	Web-based Continuing Education	Policy deleted	6/23/2016
14.08	Legal Services Selection Process	The position of the Board's Special Assistant Attorney General will be open for competitive selection at least every three years from the appointment date of the last Special Assistant assigned to the Board. An open process in selecting consultants to provide assistance is important to the Board. Selections are intended to be qualifications based. The Board's Chair will appoint a search committee of not less than three board members, which shall include at least one engineer and one architect. The search committee will consider the credentials of at least three candidates and recommend at least two candidates to the Board for its consideration. Prior to a meeting requesting Board action, the credentials of at least the top two candidates will be distributed to the full Board. Upon deliberation in a closed session, the Board will recommend a candidate to the Attorney General for appointment as the Special Assistant Attorney General. Upon such appointment, the Board will sign a formal contract for legal services with the appointee for a specific period not to exceed three years. After the term of the Special Attorney General is expired and before a new Special Assistant Attorney General is appointed, the Board may enter into a monthly contract for legal services with its last Special Assistant Attorney General until its new Special Assistant Attorney General is appointed by the Attorney General.	9/26/2014

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14.07	Contract Awards	<p>An open process in selecting consultants is important to the Board. Selections are intended to be qualifications based.</p> <p>The Board Chair will appoint an ad hoc committee to lead the announcement, requirements, and interview procedure used in recommending a contract award. Typically a minimum of three individuals/organizations will be identified as potential candidates by the committee. Requirements and/or specifications of the candidates will be established by the committee. Existing contractors may be included in the search list.</p> <p>Prior to the meeting requesting Board action, the credentials of at least the top two candidates will be distributed to the full Board. The Board may enter a closed session to discuss the observations and recommendation of the committee. The Board may move to award the contract or request additional information.</p>	9/26/2014
14.06	Approval of Continuing Education Audit Submittals	Policy deleted	6/23/2016
14.05	Engineering Examination Definition	Policy deleted	6/23/2016
14.04	Disclosure Updates for Applications	If an application and its disclosure statements have been signed and dated more than three months before the board meeting at which the application is to be presented for approval, a new disclosure statement may be requested by the Board.	4/18/2014
14.03	Closure of Incomplete Applications	Absent specific Board action, all applications must be completed within one year.	4/18/2014
14.02	Forensic Engineering Licensing Jurisdiction for Testing	Forensic testing requiring the services of an architect or professional engineer, for purposes of the E&A Regulation Act, is considered the practice of architecture and/or engineering, regardless of where the test material originated, if the facility performing the testing services is located in Nebraska.	1/17/2014
14.01	Applications Authorized to be Administratively Approved	<p>The following items have been authorized by the Board to be administratively approved and placed on the agenda in the Application section under "Administratively Approved" for regular Board meetings:</p> <ul style="list-style-type: none"> • Professional engineer license applications via comity, where applicants hold an NCEES Record in good standing and meet "Model Law Engineer" or "Model Law Structural Engineer" standards as designated on the applicant's NCEES Record; • Architect license applications via comity, where applicants hold an NCARB Certificate in good standing; • Temporary permit applications; • Engineer Intern enrollment applications; • Architectural Registration Examination (ARE) applications; • Architectural Registration Examination (ARE) reapproval applications; and • Certificate of Authorization applications. 	1/17/2014
13.05	Reapproval to Sit for the ARE after Test Authorization is Terminated	Policy deleted	6/23/2016
13.04	NCEES Credentials Evaluations	Students studying an engineering discipline at an institution that offers ABET/EAC-accredited degree programs in that discipline, and who have not obtained an ABET/EAC-accredited degree, are not eligible for education evaluation by the Board nor will the Board request an evaluation of their education from NCEES Credentials Evaluations.	9/20/2013

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POLICY NUMBER	SUBJECT	SUMMARY	MEETING DATE
13.03	Engineering Examination Result Reporting	Policy deleted	6/23/2016
13.02	Professional Services Competitive Selection	All service contracts for legal and legislative liaison services entered into by the board shall go through a competitive selection process at least every three years.	5/10/2013
13.01	Consent Agenda Items	The following items have been approved by the Board to be placed on the consent agenda during regular Board meetings: <ul style="list-style-type: none"> • Minutes from past meetings; and • Noncontroversial action items at the discretion of the executive director and/or Board chair. 	4/12/2013 1/17/2014
12.06	2012 CE Waiver-Hurricane Sandy	Policy not approved	7/12/2012
12.05	Expert Witness	An architect or professional engineer who serves as a testifying or non-testifying expert in a lawsuit or arbitration in the state of Nebraska regarding issues within the scope of their professional knowledge is not practicing architecture or engineering in Nebraska for purposes of the E&A Regulation Act, and such service does not constitute the unauthorized practice of engineering or architecture if the expert is not licensed in this State. The qualification of an expert witness to testify and to render professional opinions is a matter to be determined by the court or arbitrator(s).	12/07/2012
12.04	Architect Experience	Policy deleted	6/23/2016
12.03	Definition of "Advanced Level"	Regarding Rule 2.3.12: "Advanced level" means select courses at the junior (300) level as approved by the Board, and all courses senior (400) level and above.	5/09/2012
12.02	Organizations Practicing without a Certificate of Authorization	Regarding compliance with the E&A Act by organizations allegedly practicing or offering to practice without holding a current certificate of authorization: in those cases where the alleged violation occurs within the past five years, and the organization has had no prior complaints or issues related to unauthorized practice, the Board has authorized the Executive Director to request that those organizations apply for a Certificate of Authorization immediately and pay any applicable <i>in arrears</i> fees. If the organization indicates to the Executive Director that they will not comply, the matter will be referred to the Board to determine whether a complaint should be filed.	3/16/2012
12.01	Licensure by Experience	Policy deleted	6/23/2016
11.06	CE Exemption for Military Active Duty	With respect to Rule 9.7.1.2, contingent upon approval from the Board or Executive Director, licensees serving on temporary active military duty for a period of time exceeding one hundred twenty consecutive days in only one year of their renewal period require 15 actual hours of engineering-related learning at the time of license renewal if licensed as a professional engineer, or 12 actual hours of architectural-related learning if licensed as an architect. Licensees serving on temporary active military duty for a period of time exceeding one hundred twenty consecutive days in both years of their renewal period are exempt from the continuing education requirements for that renewal period. Licensees must submit to the Board military orders or other supporting documentation as proof that they qualify for exemption under Rule 9.7.1.2	10/21/2011
11.05	Per Diem for Continuing Education Audits	As authorized by Neb. Rev. Stat. § 81-3429, Board members serving as reviewers for continuing education audits shall receive one per diem for such activity per year.	10/21/2011

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11.04	Sealing "As-Built" Drawings	<p>Architects and professional engineers are not obligated to seal record or "as-built" drawings. Such drawings are largely produced by, or based on information provided by, others, including information that may be concealed. It is impractical and inherently risky for design professionals to attest to the accuracy of record documents by applying a signature and seal.</p> <p>Licensees have the option of sealing record drawings but can only seal what they prepared either personally or under their direct supervision. Record drawings that represent changes not actually observed during construction should not be sealed. A licensee may include notation on record drawings as to what he can actually confirm based on information obtained through observation, interviews, samples, and other reliable sources. The notation should include the location of the signed and sealed design drawings. An example notation may be written as follows:</p> <p style="padding-left: 40px;">These record drawings are a compilation of a copy of the sealed [engineering/architectural] drawings for this project and modified by addenda, change orders, and information furnished by the contractor. The information shown on the record drawings that was provided by the contractor or others not associated with the design [engineer/architect] cannot be verified for accuracy or completeness. The original sealed drawings are on file at the offices of...</p> <p>As an alternative, a licensee may choose to seal and sign a cover letter stating what he has determined to be "as-built" through his own research and attach it to the drawings or plans.</p> <p>The Board does not consider documentation of what was actually constructed to be the practice of architecture or engineering.</p>	8/19/2011
11.03	Engineering Experience Prior to PPE for Licensure by Reciprocity	Policy deleted	2/10/2012
11.02	Continuing Education Carryover	Policy deleted	1/13/2012
11.01	Refunds	Policy deleted	1/13/2012
10.08	Structural Engineer by Equivalency	Policy deleted	9/23/2011
10.07	Structural Engineer by Equivalency	Policy not approved. <i>(Alternative language in 10.07 rejected and language in Policy 10.08 approved.)</i>	12/03/2010
10.06	Structural Exam retakes	Referencing Rule Section 2.4 - An engineer PE examinee failing either the 8-hour Structural I or II exams, will be treated as a retake for the purpose of applying for the 16-hour Structural exam.	12/03/2010
10.05	Coordinating Professional Clarification	Policy deleted	1/13/2012
10.04	Continuing Education Credit for NRMC participation	Licensees (except Board members) participating on a negotiated rulemaking committee will be eligible for up to three continuing education units per session.	10/29/2010
10.03	Board Agenda Deadline	All material for the Board agenda must be submitted by 8:30 a.m. at least 6 working days prior to the scheduled Board meeting.	8/13/2010
10.02	Electrical and Computer Engineer Seal	Policy not approved	8/13/2010

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10.01	Elimination of pre-1984 Architect-in-Training certificates	Individuals holding an "Architect in Training" certificate issued by the Board prior to July 1, 1983 shall not display or use the term "Architect in Training" in words, letters, figures, titles, sign, card, advertisement, or other symbol or device indicating or tending to indicate that he or she is certified as an architect or is authorized to practice architecture in Nebraska. These certificates have not been issued by the Board for more than 25 years. Their issuance was in recognition for achievement of a then current milestone toward becoming an architect and their issuance did not authorize the practice of architecture. The current requirements for becoming licensed and use of titles in architecture and engineering are specified in Rule Section 5.7.	3/12/2010
09.08	Engineering Experience for Licensure by Reciprocity	Subject to the Board's review and approval, reciprocal professional engineer candidates must have four years of lawfully-gained experience and either hold a degree from an ABET-accredited program or meet the NCEES Education Standard. Lawfully-gained experience shall include all engineering experience that is in compliance with the licensing law in the jurisdiction where the practice occurs.	8/13/2010 2/10/2012
09.07	4 Strike Exam Requirement for Additional Learning	Policy deleted	1/13/2012
09.06	Engineering Examination Retake Policy	Policy deleted	1/13/2012
09.05	Remediation of Projects without Contract Documents	Policy deleted	1/13/2012
09.04	Fine Guideline	Policy not approved	10/23/2009
09.03	Public Works Exemption	Policy deleted	9/23/2011
09.02	Engineering Discipline for PPE Examination	Policy deleted	9/23/2011
09.01	Structural Equivalency Reviews	Policy deleted	9/23/2011
08.13	HSW Complaints	A complaint may be filed by the Executive Director when there is a matter of public health, safety and/or welfare. If a board member is aware of a compliance issue, they may bring it to the Executive Director's attention.	8/22/2008
08.12	Reinstatement of Previous License	Policy deleted	1/13/2012
08.11	Engineer Exam Proctoring	Policy deleted	1/13/2012
08.10	Emeritus Board Members	Upon retiring from service with the Board of Engineers and Architects, a board member becomes an Emeritus Board Member.	7/11/2008 1/13/2012
08.09	Non-Accredited Engineer Degrees	Policy deleted	1/13/2012
08.08	Cash Reserve	Voided since language moved to Policy P04.01.	7/11/2008
08.07	Code Officials and the E&A Act	Code officials may choose to make restrictions to the E&A Act more stringent; but may not make restrictions less stringent. Code officials should have policies that are clear and consistent, regularly followed and should be written in the form of policies or guidelines to ensure that enforcement is not arbitrary or capricious. (Legal Opinion 4/17/2008, Bartle & Geier Law Firm)	5/30/2008 7/11/2008
08.06	Engineering Discipline w/o Exam Results	For reciprocal licensing of engineers by discipline, an Affidavit of Specific Discipline will be accepted when there is no verification of examination from the registration authority of current licensure or NCEES record. Professional Structural Engineers are required to provide verification of passage of 16 hours of NCEES, or equivalent, structural examination.	5/30/2008

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08.05	Structural Exam Equivalency	<p>With respect to Rule 2.4.4.1, satisfying any one of the professional examination conditions required to attain "Model Law Structural Engineer" status as listed in the most current NCEES Model Rules is equivalent to passing the current 16-hour NCEES Structural Engineering examination. As of August 2011, those conditions are:</p> <ol style="list-style-type: none"> 1. 16 hours of NCEES structural examinations, 8 hours of which were from the SE II taken prior to January 1, 2011 2. 16-hour state-written structural examinations taken prior to 2004 3. NCEES SE II plus 8-hour state-written structural examinations taken prior to January 1, 2011 <p>Applicants who hold an NCEES Record and are designated as a "Model Law Structural Engineer" by NCEES are eligible for expedited reciprocal licensure in accordance with Rule 4.2.3.</p>	5/30/2008 2/10/2012
08.04	Reimbursement for Rosters/Mailing Lists	Policy deleted	4/18/2014
08.03	CEU Requirement for Reinstatement of Emeritus	Policy deleted	1/13/2012
08.02	Reinstatement Affidavit for Emeritus	Policy deleted	1/13/2012
08.01	Engineering Discipline with Passage of Structural I Exam	Policy deleted	1/13/2012
07.09	ARE Test Division Approval	Policy deleted	1/13/2012
07.08	SPCC Documents	Policy deleted	1/13/2012
07.07	Filing Fee Waived for First Time Exam Applicants of the ARE	The filing fee is waived for first time applicants applying to sit for the Architect's Registration Examination (ARE). The re-approval filing fee to re-establish authorization to sit for the ARE is \$30.	9/14/2007 8/07/2009 9/18/2009 1/17/2014
07.06	Construction Engineering Degree Acceptance	Policy deleted	5/20/2011
07.05	Architectural Engineer Experience for the PE	Policy deleted	6/23/2016
04.01	Target Reserve for the E&A Regulation Fund	For the purpose of insuring the agency against loss due to breach of examination security, pending or ongoing litigation against the board, and other unplanned expenditures; the board shall strive to maintain a cash reserve, created in NRS Section 81-3432, in the amount of two times the annual budget.	9/17/2004 7/11/2008
03.05	Reimbursement of Educational Debt for Architectural Graduates	With respect to § 81-3432.01, each individual who has graduated with a NAAB-accredited architectural degree from the College of Architecture at the University of Nebraska (UNL) and establishes a record through the National Council of Architectural Registration Boards (NCARB) is eligible to be reimbursed \$100 by the Board of Engineers and Architects for qualified educational debt. In order to receive reimbursement, verification of NCARB Record establishment and graduation must be received within one year of graduation. Verification of graduation may come from NCARB or officially from UNL. Payment will be by a warrant issued by the State of Nebraska.	12/12/2003 7/23/2004 3/21/2008 12/07/2012 8/14/2015
03.04	Reimbursement of Educational Debt for Engineering Graduates	With respect to § 81-3432.01, each eligible individual who passes the Fundamentals of Engineering examination on their first attempt no later than nine (9) months after graduation is eligible to be reimbursed \$50.00 by the Board of Engineers and Architects. Individuals who retake the exam because of a no show or failure are not eligible for reimbursement. In order to receive reimbursement, proof of graduation must be officially issued by the degree-granting institution and received by the Board within a year of graduation. Payment will be a warrant issued by the State of Nebraska.	12/12/2003 5/09/2012 1/11/2013 10/23/2015

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03.01	Review/ Salary	All board staff personnel will be evaluated annually prior to their consideration by the Salary Committee. The Executive Director will be evaluated by the Board; all other staff personnel by the Executive Director.	6/20/2003
02.03	Board Emergency Weather Policy	The Board honors the State of Nebraska Emergency Weather Policy, with the following specifics: 1) The telephone answering device will be programmed and activated in anticipation of inclement weather. 2) No employee shall attempt to reach the office at risk of their own safety or that of others. 3) Any employee unable to reach the office will be on ready to work status unless the employee requests vacation leave or leave without pay; those choosing the latter option will be permitted to make up the missed work time within the work week.	12/12/2002
02.02	Recognition of Past Board Members	An award/recognition may be presented to a departing Board member or any other person recognized for their years of service and significant contributions to the success of the Nebraska Board of Engineers and Architects. The award shall be a plaque; the cost shall not exceed \$200.00 per person, and shall be paid from Board funds. A Board member who has served ten or more years on the Board may be presented an additional gift not to exceed \$300. (As approved by DAS Personnel March 30, 2011)	9/13/2002 7/11/2008 9/23/2011
02.01	Retainage of Previous License Number for Reinstated Expired Certificate of Licensure	Policy deleted	6/23/2016
Procedure 02.01	Use of the Secretary's Signature	The Board Secretary's Signature may be applied by computer to the following items: 1) Architectural and Engineering license pocket cards; 2) Engineer Intern Certificates; 3) Emeritus pocket cards. The signature may be applied by rubber stamp to the following items: 1) Receipts for payment of fees.	1/19/2001
01.02	Continuing Education Offerings On The Web Page	The Board will permit placement of Continuing Education Offerings, including a description and/or a link to the offeror's web page, in a special section of the board's web page. The section will have a disclaimer absolving the board of all support for the offerings, including their qualifications for credit toward license renewal.	7/13/2001 8/17/2007
01.01	Salary Committee	A Salary Committee comprising the Chairperson, the Vice Chairperson, and the Secretary of the Board shall be formed for the purpose of preparing recommendations to the Board on staff salaries. The Committee will meet in June and November, prior to the Board Meeting for that month, to consider changes in salary for the Executive Director; the Chairperson will preside. The June meeting will correspond with the fiscal year end of June 30. Changes in salary of all but the Executive Director are generally mandated by the Legislature, as are their anniversary changes. The November meeting will deal primarily with the Executive Director's salary.	7/26/1991 7/13/2001 8/17/2007
00.01	Election of Officers	Regarding the election of Board officers per N.R.S. § 81-3431: <ul style="list-style-type: none"> • Members cannot serve more than two consecutive years in any single office. • Not all three officers will be of the same profession. • In the event that a board officer will not or cannot serve in that capacity, an election will be held for that office for the remainder of that term. • An officer may be relieved from office by a majority vote of the board. 	3/17/2000 9/09/2016