

The Nebraska PROFESSIONAL

Nebraska Board of Engineers and Architects Newsletter

Fall 2014

Certificates of Authorization: Introducing a new tiered fee structure

Krista Kester
Board Member

The E&A Act requires that any business organization through which an architect or professional engineer offers professional services must have a certificate of authorization. Neb. Rev. Stat. § 81-3436. Among other things, the Certificate of Authorization establishes who is in responsible charge of the professional practice being offered by the business organization. "Organization" is, in turn, defined by the Act as "a partnership, limited liability company, corporation, or other form of business entity." Neb. Rev. Stat. § 81-3418. (For additional information on whether your practice requires a Certificate of Authorization, see "Certificates of Authorization: Debunking the myths regarding sole proprietorships" in the Spring 2012 Newsletter – available on the Board's website.

Currently, an organization must pay \$200 to obtain the Certificate of Authorization (which is good for two

years) and \$150 to renew the Certificate for every two years thereafter. The same fees are applicable to every business organization, irrespective of the size of the organization, the amount of professional services performed by the organization, or the number of licensed professionals within the organization.

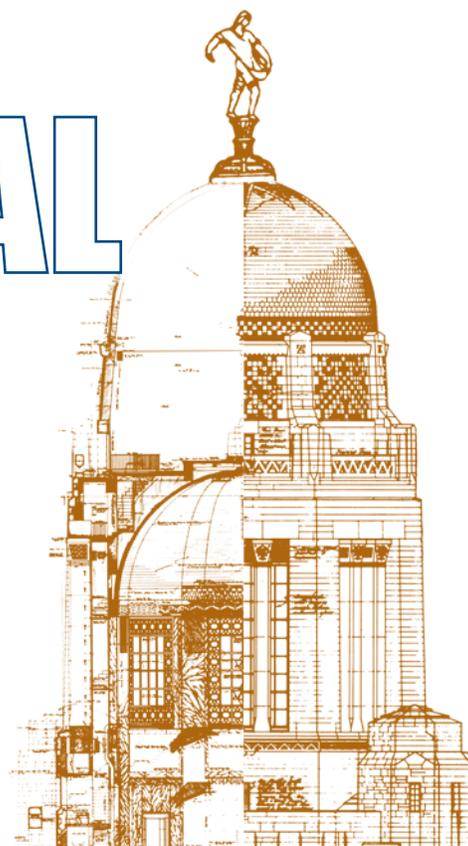
Although the fee is relatively small in comparison to the overall expenses associated with providing professional services, the flat rate fee schedule undeniably places a disproportionate burden on the small and mid-sized organizations, vis-à-vis large, multi-state (and in some instances, international) firms.

In response to this disproportionate impact, the E&A Board has recently approved a tiered fee schedule based upon the number of architects and professional engineers within the organization. Beginning January 1, 2015, the following two-year fees will apply:

Organization Size	Application Fee	Renewal Fee
1-5 licensees	\$100	\$50
6-10 licensees	\$200	\$150
11-49	\$300	\$250
50+	\$400	\$350

Based upon the statistics collected by the Board's staff, this fee schedule will be revenue-neutral for the Board. The

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Public Works exemption update

As of July 2014, Public Works projects with contemplated project expenditures exceeding \$109,000 are required to meet the requirements of the E&A Act.

What is a public works project?

Nebraska Rules and Regulations describe these projects as publicly funded or built for public use and not intended for human occupancy or habitation.

What all is included in the contemplated project expenditures?

Contemplated project expenditures include and are not limited to the estimated costs of construction labor and materials, design, construction administration, permits, right of way and inspection.

This dollar amount was increased from the previous total of \$100,000. The annual consumer price adjustments over the five year period ending in 2013 are applied in determining the new total.

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Web-based Continuing Education Credits

Over the past several years, Board and staff had noticed an increase in continuing education credits fulfilled through online courses. Technology has made it easier for many professionals to complete courses from the comfort and convenience of their desk, minimizing scheduling conflicts and travel costs. It is also certain that courses using this type of delivery system will only increase in the years to come.

The dilemma our Board faced through the course of audits was the questionable quality of many of these courses, the time it actually took to complete the course, and their benefits to professional practice. Though many courses evaluated were just as valuable as those attended in person, it was clear that this was not the case for a number of units being submitted.

The Board's conclusion was to limit the amount of certain web-based credits allowed toward the required 30 actual hours of architecture or engineering-related learning. Simply put, they will be considered under the self-reporting guidelines defined in the handbook and limited to 25% of the required hours for an architect or professional engineer.

Web-based courses that meet the criteria outlined in the policy will not be subject to the 25% limit.

Implementation of this policy will begin January 1, 2015 for licensees with last names beginning with L-Z and January 1, 2016 for last names A-K. This allows for all licensees to complete their current renewal periods without additional restrictions on courses they may have already taken.

Policy 14.09

Web-based offerings other than those provided by:

1. International Association for Continuing Education and Training (IACET) approved providers,
2. institutions of higher education that have an accredited program in architecture or engineering,
3. professional engineering or architectural societies, or
4. state agencies

will only qualify for continuing education under self-guided report submittals and are limited to 25% of the required hours for an architect or professional engineer.

Certificates

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new tiered schedule will apply to all applications for which payment is postmarked on or after January 1, 2015.

For example, for a certificate expiring on January 5, 2015, the renewal fee would be calculated under the old schedule if payment is postmarked before December 31, 2014. Conversely, the new fee schedule would apply if the renewal was postmarked on or after January 1, 2015.

Also note that the "number" of licensees considered for purposes of calculating the fee must include all of the architects and professional engineers employed by the organization (i) in any of its offices or branches and (ii) irrespective of the jurisdictions in which they are licensed. In other words, the "number of licensees" will include professionals who are licensed in Nebraska, as well as those who are licensed only in other jurisdictions. Similarly, the "number of licensees" will include professionals who work from offices in Nebraska, as well as those who work from offices in other states and/or countries.

Additional information can be found on the Board's website at www.ea.nebraska.gov. Also feel free to contact the Board's staff at 402-471-2021 with any questions as we implement this change.

Board to provide CE seminar Fall 2015

During the course of the Board's annual Strategic Planning session, one of the initiatives that resulted was for the Board to sponsor a continuing education event annually.

Part of this initiative was also to promote ethical practice through Board sponsored continuing education. Therefore, the topic for events in odd-numbered years will focus on ethics.

As we begin the planning phase for these events, we are planning to offer one half-day seminar (ethics) and a full-day seminar the alternate year.

The first half-day course is tentatively scheduled for November 15, 2015 and will be concentrated on ethics.

We would like to hear from our licensees what non-technical topics you would like to see presented in the alternate years.

Please submit your suggestions to: steve.masters@nebraska.gov; or call 402-471-2021.

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Tom Laging receives 2014 Harry F. Cunningham Gold Medal

Architectural Excellence in the State of Nebraska

courtesy of AIA Nebraska

Tom Laging, FAIA, Professor Emeritus of Architecture at the University of Nebraska and Nebraska Board of Engineers and Architect Board member (2000-2014) is the recipient of the 2014 Harry F. Cunningham Gold Medal for Architectural Excellence in the State of Nebraska. The Gold Medal is the highest honor the Nebraska Chapter of The American Institute of Architects (AIA) can bestow and is awarded in recognition of the most distinguished achievement in architecture or service to the profession of architecture in the State of Nebraska.

Nominator Wayne Drummond, FAIA, Dean Emeritus and Professor, College of Architecture, University



of Nebraska-Lincoln said “In my four decades of engagement in education, I have never encountered a more committed educator and professional. Tom has had a major impact on thousands of students. Even more exceptional, Tom Laging has devoted all forty-six years to the education of future professionals in the College of Architecture at the University of Nebraska-Lincoln.”

The Laging family name runs deep in the history of education and contributions to the arts in Nebraska. Tom’s father, Duard, was an esteemed professor and longtime chairman of the Art Department. His mother, Barbara Laging was a professor of interior design at UNL and an accomplished sculptor. Tom’s sister briefly taught Spanish at the university and has become a highly acknowledged bead artist. As the architect of the family, Tom found unconditional support for his work from his wife Mij, a former Soho gallery director and

currently a highly skilled counseling psychologist. Tom’s daughter Quinn followed Mij’s interest in psychology and has chosen to use equine counseling as her vehicle of service.

Laging’s early interest in architecture began as a teen with a summer apprenticeship with the emerging firm of Clark and Enersen. As a student his passion for urban design issues began with a conference he attended that featured Ed Bacon, Lou Kahn and an incredible presentation by Le Corbusier. After graduating from UNL, Laging’s first large scale design experience involved parts of an ambitious design plan for 33 square miles of inner city Detroit.

Laging’s desire to teach began with his return to school at the Harvard Graduate School of Design. After graduation he served in the Peace Corps where he helped to develop Lima’s first comprehensive plan and assist squatter communities before joining the UNL faculty.

Engagement, service to communities, and commitment to students have characterized Tom’s four and a half decades of teaching based on these early experiences.

Mike Conzett elected NCEES president-elect

Board member Mike Conzett was elected president-elect of the National Council of Examiners for Engineering and Surveying (NCEES) at the NCEES 2014 Annual Meeting in August. He has been actively involved in NCEES since 2004, serving most recently as Central Zone Vice President in addition to participating in several committees for professional engineering examination, education, legislative guidelines, and more. “I want to ensure engineering is recognized more as a highly valued profession in service to the public and less as a commodity that is purchased,” Conzett said.

Conzett compares the engineering licensure model to a three-legged stool. One leg comprises formal engineering education, which educates

and forms engineers as professionals. Another component promotes the progressive experience engineers gain as they pursue licensure. Education and experience are then tested in the third component – formal examination. NCEES provides this in the form of the Fundamentals of Engineering (FE), Fundamentals of Surveying (FS), Professional Engineering (PE), Structural Engineering (SE), and Professional Surveying (PS) exams.

One of Conzett’s goals as president-elect is to help lead the development of the PE exam in a computer-based format. Such a format could offer



questions that better test relevant and practical knowledge using videos and other real-life scenarios that mimic engineering situations.

Conzett graduated from Iowa State University in civil engineering (BSCE ‘76, MSCE ‘78). He obtained his first PE license in 1982 from Ohio and has been licensed in Nebraska since 1996.

Recently retired from HDR, Inc., Conzett had served as vice president and senior project manager. He had been employed by HDR, Inc., for 30 years.

Conzett has served on the Nebraska Board of Engineers and Architects since 2003.

NCEES approves revised approach to education initiative

The U.S. engineering and surveying licensing boards that make up NCEES have voted to modify the approach to requiring additional education for initial engineering licensure by removing specific language in the NCEES Model Law and Model Rules, originally intended to be effective in 2020.

The decision was made during the 2014 NCEES annual meeting. As part of the vote, delegates decided to instead develop an official NCEES position statement that supports additional engineering education beyond a bachelor's degree.

"NCEES remains committed to improving education standards to better prepare engineers to enter the profession and will work with other engineering organizations, educators, and the professional engineering community to reach that goal," said

NCEES Chief Executive Officer Jerry Carter. "NCEES voted to remove these requirements to avoid confusion and unintended comity licensure barriers while it works on the specifics of the requirement."

The additional education requirement in the Model Law and Model Rules—the NCEES best-practice models for state licensure laws and rules—called for an engineering licensure candidate to obtain a master's degree or its equivalent before initial licensure. The requirement was first added to the model documents by Council vote in 2006. In subsequent years, NCEES annual meeting delegates approved several additions and modifications to the language to adjust and clarify the requirement.

The Council's latest decision means that in 2020 the NCEES Model Law and Model

Rules will continue to require an engineering bachelor's degree from an EAC/ABET-accredited program to fulfill the education requirement for engineering licensure.

Carter explained that having the additional education requirement in the model documents was creating uncertainty about what would be required for licensure in the future and impacting students entering engineering programs.

"The language about requiring additional education beyond the bachelor's degree was inserted in the NCEES model governance documents to reflect the belief of the Council that significant revisions are needed in the education of engineers to ensure that they are prepared to enter the professional practice of engineering. Because the language had been incorporated into the

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STUDENT SECTION

Why take the FE now?

The Fundamentals of Engineering (FE) exam is generally regarded as the first step towards licensure. Students are eligible to take the FE once they have achieved Senior status at an ABET-accredited university.

When we visit college campuses, we frequently hear students voice the same questions and concerns about taking the FE exam now:

- It's expensive
- I'm busy studying for other exams for school
- I can always take it later
- I don't know if I'm even going to get licensed
- I don't need a license to do what I want to do.

With all students need to accomplish in order to graduate, why add more to your plate today? Here is how licensees have responded to those concerns.

Because taking the FE now only gives you more options later.

- This is the time you are most prepared. The material you will be tested over is still fresh in your mind. Pass rates also suggest those taking it during their last semester do the best.
- Passing the FE exam will further demonstrate your competency to potential employers. More and more companies are asking their engineers to become licensed, even in exempted industries.
- Time will likely become more scarce past graduation. Many licensees report between work hours and starting a family, making time to study material they covered in school is difficult.
- Opens more career doors. You never know where your engineering path will take you.

Taking the FE gets you closer to licensure, sets you apart from your peers and gives you more job and promotion opportunities.

New ARE Guidelines and ARE Exam Guides

ARE 4.0 Exam Guides

ARE Guidelines and the Exam Guides for all seven divisions of ARE 4.0 are available online as of October 2014.

The new ARE documents supersede all previous editions of the ARE 4.0 Exam Guides. Please check the NCARB website regularly for future updates to these documents, along with the most current information regarding the ARE.

What's new:

In all seven divisions, the list of references have been updated. Reference lists were updated based on last year's pool review process. The revised list reflects the books and materials used most often in the creation of content for a division. (Please note, it is not meant to be an exhaustive list of all possible

reference materials for each division.)

The Content Area

percentages and the descriptions of Knowledge/Skills have also been updated for all seven divisions. These minor revisions are a result of the 2012 NCARB Practice Analysis of Architecture and properly represent how each division is assembled.

What's the same:

No changes have been made to the sampling passing solutions or sample failing solutions of the vignette examples in any of the divisions.



Also, no changes have been made to the sample multiple choice questions or answers.

ARE Guidelines

You can download the update ARE Guidelines at ncarb.org. Effective October 2014, this document supersedes all previous editions of the ARE Guidelines. Make sure you understand the policies and procedures including: exam eligibilities, scheduling an exam appointment, the Rolling Clock, check-in and biometrics at the test center, and the confidentiality agreement.

This update also includes an explanation of the new retake policy, effective October 1, and minor updates to screen shots on exiting the exam.

Additional Path for Licensure Upon Graduation

The National Council of Architectural Registration Boards (NCARB) Board of Directors has announced their endorsement of the concept of an

additional, structured path that leads to licensure in a U.S. jurisdiction. The new path—licensure upon graduation from an accredited program—would integrate

the rigorous internship and examination requirements that aspiring architects must fulfill into the years spent completing a professional degree in architecture.

The concept was designed by a distinguished group of volunteers convened by NCARB, which recommends national architect registration standards, called the Licensure Task Force. This group, which was initially formed in mid-2013, is headed by NCARB's Immediate Past President Ron Blitch of Louisiana, and it includes former and current leaders of NCARB, the National Architectural Accrediting Board (NAAB), the American Institute of Architects (AIA), the Association of

Incorporating internship and examination requirements into university education, the regulatory organization aims to simplify and accelerate the licensing process.

Colleges and Schools of Architecture (ACSA), and the American Institute of Architecture Students (AIAS), as well as interns, recently

licensed architects, program deans and instructors, and jurisdictional licensing board representatives.

A Progressive Path

Describing the work of the Licensure Task Force, NCARB CEO Michael

Armstrong said, "NCARB is engaged in streamlining and simplifying the licensing process for aspiring architects, and we are actively re-engineering all elements of the architectural licensing process—education, experience and examination—to focus on facilitation of licensing."

"This additional path to licensure is another concrete step to reimagining and reconfiguring each part of the process while upholding the rigorous standards needed to protect the public's health, safety and welfare," he said.

This progressive concept was borne of research and development efforts by the

Licensure Task Force, with leaders from diverse segments of the architectural community to analyze each component of the licensure process to identify overlaps and redundancies to existing programs.

Now beginning the second year, the Licensure Task Force will start to identify schools interested in participating in the program. NCARB expects to issue schools Requests for Information later in the year, followed by a Request for Proposal process in 2015.

Exam Evolution

In addition to the licensure work, NCARB also announced this month that a transition plan is underway to guide the implementation of major improvements and changes to the Architect Registration Examination® (ARE®), the test that all prospective architects must take to get their licenses. ARE 5.0 will launch in late 2016, while ARE 4.0 will remain available for at least 18 months after the launch.

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NCEES Model Law and Model Rules but had not yet been adopted by any individual licensing board, it was causing confusion among students, educators, and professional engineers," he said.

Another key issue was the effect on the NCEES Records program, which is used by professional engineers across the country to facilitate comity licensure, the process by which a professional engineer licensed in one state gets licensed in another.

Carter explained, "For those who meet the Model Law Engineer or Model Law Structural Engineer standard, many states expedite a comity licensure application. In 2020, the MLE and MLSE standards would have required a master's degree or the equivalent. If no state requires a master's, most licensees would no longer meet the MLE and MLSE standards, which would have slowed comity licensure. NCEES is dedicated to facilitating licensure among states, so it wants to avoid this impediment."

The NCEES Advisory Committee on Council Activities has been charged to develop the position statement supporting additional education for initial engineering licensure and will present it for adoption by the Council at the 2015 annual meeting.

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Recently resolved compliance cases

The following cases were reviewed for compliance by the Nebraska Board of Engineers and Architects, and resolved via the action noted. These summaries are provided for licensee education and information, and should not be interpreted as a full description of the cases described. In cases where disciplinary action was taken by the Board per Neb. Rev. Stat. § 81-3444, the names of the individuals and/or organizations involved are included.

CASE #13.08:

Misuse of Title

Summary: Staff discovered that an unlicensed designer in eastern Nebraska was identifying himself as an architect in project videos posted online.

Action: After the Board's investigation, it was determined that a warning letter would be issued to the designer explaining that he was not to identify himself as an architect until he has been licensed by the Board to practice.

CASE #13.15:

Violation of the E&A Regulation Act

Summary: A complaint was received that an engineer and his firm took another PE's sealed plans for a federal bridge project after performing value engineering on the design and reissued them with his own seal and organization name.

Action: After an investigation and interviewing all of the parties involved, the Board determined that the PE's use of the original plans was acceptable for the project. The case was dismissed with no disciplinary action taken.

CASE #14.05:

Violation of the E&A Regulation Act

Summary: An applicant for comity licensure as a PE disclosed he had provided services on two Nebraska projects prior to being licensed by the Board. The applicant stated he had sealed plans with two out-of-state PE seals and the client hired a Nebraska-licensed PE to review and seal the work with a Nebraska seal.

Action: The Board investigated the work performed by the applicant and the review provided by the Nebraska-licensed PE then determined the work by both to be acceptable. The Board dismissed the case and took no disciplinary action.

CASE #14.07:

Unauthorized organizational practice

Summary: A Nebraska-based environmental company was offering engineering services but did not have a certificate of authorization from the Board.

Action: The Board determined that the PE employed by the environmental firm did qualify as the responsible charge PE. The firm applied for and received a certificate of authorization from the Board and the case was dismissed.

CASE #14.08:

Misuse of Title

Summary: A complaint was received that an individual had referred to himself publicly as a former industrial engineer when he was never licensed as a professional engineer.

Action: The Board determined the title was likely used under an exempt category of industrial engineering occupations and dismissed the complaint.

CASE #14.10:

Unprofessional Conduct

Summary: A complaint was received that alleged unprofessional conduct by a PE employed as a supervisor after the PE fired the complainant.

Action: The Board determined there was no probable cause and dismissed the case.

Licensure Updates

June 3, 2014 through October 16, 2014

Architects By Exam

William J. Deroin	Omaha	NE
Erin N. Dobesh	Lincoln	NE
Daniel J. Kerns	Omaha	NE
John M. Thompson	Omaha	NE
Christopher L. Pischel	Lincoln	NE
David J. Warner	Omaha	NE
Thomas W. Weingarten, Jr.	Omaha	NE
Cole A. Wycoff	New York	NY

Professional Engineers By Exam

Architectural

Jennifer L. Pohlman	Omaha	NE
Anthony W. Staub	Omaha	NE

Civil

Timothy J. Adams	Lincoln	NE
Jichong An	Omaha	NE
Dennis J. Anderson	Omaha	NE
David M. Austin	Woodcliff Lake	NJ
Kristle V. P. H. Beaudet	Omaha	NE
Jacob A. Canniff	Omaha	NE
Virginia M. Christian	Omaha	NE
Adam J. Franzluebbers	Columbus	NE
Luke A. Glaser	Gretna	NE
Rachel M. Goldsmith	Omaha	NE
Patrick R. Hartman	Lincoln	NE
Seth T. Hoffman	Omaha	NE
David J. Hospodka	Omaha	NE
Bradley P. Huyck	Omaha	NE
Chris D. Kim	San Diego	CA
Anthony D. Klaumann	Omaha	NE
Joseph A. Lavender	Shawnee	KS
Adam R. Plack	Papillion	NE
Michael R. Rakowski	Lima	OH
Craig D. Schmit	Lincoln	NE
Gregory T. Seib	Lincoln	NE
Joseph C. Sinden	Omaha	NE
Joshua S. Steelman	Lincoln	NE
Alec J. Stubbe	Omaha	NE
Luke A. Summers	Spirit Lake	IA
Andrew R. Synhorst	Omaha	NE
Christopher W. Taylor	Omaha	NE
Chance A. Thayer	Lincoln	NE
Joseph S. Troester	Seward	NE
Jon E. Ueman	Omaha	NE
Jared C. Wagner	Lincoln	NE
Drew R. Wilson	McCook	NE

Electrical and Computer

Derek W. Bryant	Stanton	NE
David J. Carey	Omaha	NE
Mark P. Gibilisco	Omaha	NE
Evan R. Kilgore	Columbus	OH
Jared J. Kleen	Prairie Village	KS
Russell J. Miller	North Platte	NE

Environmental

Ashraf Aly Hassan	Lincoln	NE
Michael A. B. Classen	Omaha	NE
Daniel D. LeMaistre	Lincoln	NE

Industrial

Matthew D. Seidel	Grand Island	NE
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Mechanical

Matthew A. Benes	Lincoln	NE
Jason D. Cerny	Lincoln	NE
Joshua C. Jackson	Omaha	NE

Structural

David J. Bennier	Mission	KS
Daniel J. Huntington	Rock Island	IL
Travis F. Konda	Kansas City	MO
Eric J. Lumpkin	Prairie Village	KS
Christina B. McCoy	Leawood	KS
Jordan T. Wagner	Lincoln	NE

Emeritus Licensees

Architect Emeritus

Steve R. Laughlin	Omaha	NE
Mark W. Leblang	South Bend	IN
John E. Meigs	Omaha	NE
Russell J. Robertson	Wildwood	MO

Engineer Emeritus

Richard J. Laman	Littleton	CO
Charles H. Leichner, III	Scottsdale	AZ
Donald F. Meinheit	Arlington Heights	IL
Robert L. Meinzer	Topeka	KS
Dwayne G. Miller	Las Vegas	NV
Donald W. Montgomery	Clifton Park	NY
Merlin H. Moseman	Kingwood	TX
Mark E. Naslund	Omaha	NE
Kent R. Nelsen	Waterford	MI
Roger K. Patterson	Gold River	CA
Kenneth W. Price	Palmer	AK
Larry R. Rainwater	Omaha	NE
Marc A. Skillman	Greenwood	IN
Paul C. Smith	Lincoln	NE
Wallace R. Stern	Omaha	NE
Laverne E. Stetson	Lincoln	NE
Michael A. Stewart	Clute	TX
Rodney I. Unruh	Shawnee Mission	KS
Dwane E. Vickstrom	Charlotte	NC
Thomas J. Wiehl	O'Fallon	IL

Deceased Licensees

Architect

Charles A. Wilscam, Jr.	New York	NY
Garth D. Hall	River Forest	IL

Engineer

Charles R. Page	Kansas City	MO
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Croquet Ball

It has rolled to a stop along one wall of the dim garage, rolled in through the wicket of the overhead door, the last sharp clack of a mallet so far behind it now that only the imagination can hear it, clacking in over the clipped, imagined grass. Its pale green stripe – the green of the handles on old kitchen spoons – is even paler now, under a whisper of dust, and the wood has cracked along the grain so that cracks go round and round it like rings on a planet. And perhaps it is a planet, and not even one of the lesser ones but something worth our full attention, and I, while passing through this life, wheeling my lawnmower into the shadows, have been the first to see it waiting there.

Ted Kooser

By permission of the author.

Ted Kooser, former U.S. Poet Laureate (2004-2006), and recipient of the 2005 Pulitzer Prize for Poetry, a Nebraska Poet.



“Alley in Crete, Nebraska”, Crete, Nebraska, from *Hanna Sketchbook*, 1999.

By **Robert L. Hanna**, architectural illustrator and a Nebraska Emeritus Architect.

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