



MINNESOTA BOARD OF
ARCHITECTURE ■ ENGINEERING ■ LAND SURVEYING
LANDSCAPE ARCHITECTURE ■ GEOSCIENCE ■ INTERIOR DESIGN

BOARD MEMORANDUM

MAY 12, 2022

TO: All Board Members
Stephen Melchionne, Assistant Attorney General

FROM: Paul Vogel, LS, Board Chair

SUBJECT: **MAY 2022 BOARD MEETING MINUTES**
81 7th Street Suite 100
11:15 AM

The Board held its regularly scheduled meeting on the above-mentioned date, time, and location.

- 1) **QUORUM CALL**
- | | |
|---|--|
| Paul Vogel, LS, Chair | Daniel Kelsey, PE |
| Keith Rapp, PG, Vice Chair | Erica Larson, CID |
| Denise Kazmierczak, PE, Secretary - Absent | Jami Neiber, PM |
| Melisa Rodriguez, PE, Treasurer | Meg Parsons, FAIA |
| Dan Baar, LS | Tari Rayala, Architect - Absent |
| Paul Brandt, PSS | Claudia Reichert, CID |
| Rachel Dwyer, PM - Absent | Scott Robinson, LA |
| Eric Friske, JD, PM - Absent | Graham Sones, LA |
| Sally Grans Korsh, FAIA | David Stenseth, CPA, PM |
| Scott Holm, M. Ed, CBO, PM - Absent | Travis Thul, D. Eng., PE - Absent |
| Nirmal Jain, PE - Absent | |

OTHERS:

Doreen Johnson, Executive Director
Kay Weiss, Assistant Executive Director
Stephen Melchionne, Assistant Attorney General
Mary Roguski, OASI
Holly Salmela, Complaint Specialist

Guests:

Jeff Coleman, Coleman & Erickson, LLC

Courtney Jasper, American Council of Engineering Companies (ACEC)

Jason Meyer, ACEC

Thomas Poul, ACEC

Mary-Margaret Zindren, American Institute of Architects Minnesota (AIA MN)

- 2) INTRODUCTIONS
- 3) READING AND APPROVAL OF MARCH 16, 2022 BOARD MEETING MINUTES
MSP: To approve the March 16, 2022 Board Meeting Minutes
- 4) COMPLAINT COMMITTEE REPORT (Keith Rapp, Acting Committee Chair)
 - A) The Complaint Committee requested a closed session to deal with disciplinary matters. Paul Vogel recused himself as Board Chair for the duration of the Complaint Committee Report and appointed Melisa Rodriguez as Chair *pro tempore*.

The Board issued Orders for the following:

- B) Douglas Galler
 - C) Jillian Elizabeth Reiner
- 5) RULES COMMITTEE REPORT (C. Reichert, Committee Chair)
 - A) Proposed change to Statute 326.10 Subd. 1 (1):
Subd. 1. Issuance. (1) To any person ~~over 25 years of age,~~ who complies with the Rules of Professional Conduct established in rule by the Board,~~is of good moral character and repute,~~ and who has the experience and educational qualifications which the board by rule may prescribe.
MP: To propose 326.10 Subd. 1 (1) be changed as above

- B) Proposed change to Statute 326.10 Subd. 1 (2):
(2) *To any person who holds an unexpired certificate of registration or license issued by proper authority in the District of Columbia, any state or territory of the United States, or any foreign country, in which the requirements for registration or licensure of architects, engineers, land surveyors, landscape architects, geoscientists, or certified interior designers, respectively, at the time of registration or licensure in the other jurisdiction, were ~~equal, in the opinion of the board,~~ substantially equivalent, as established by the Board in rule, to those fixed by the board and by the laws of this state, and in which similar privileges are extended to the holders of certificates of registration or licensure issued by this state. The board may require such person to submit a certificate of technical qualification from the National Council of Architectural Registration Boards in the case of an architect, from the National Council of Examiners for Engineering and Surveying in the case of an engineer, from the Council of Landscape Architectural Registration Boards in the case of a landscape architect, and from the National Council for Interior Design Qualification in the case of a certified interior designer.*
MP: To propose 326.10 Subd. 1 (2) be changed as above
- C) Proposed change to revision of Statute 326.10 Subd. 2:
Subd. 2. Examination. An applicant for licensure or certification must provide evidence of passing the required examinations as prescribed by rule of the board. The board, or a committee of the board, may subject any applicant for licensure or certification to such examinations as may be deemed necessary to establish qualifications.
In determining the qualifications of applicants, at least one member determining the qualifications must be licensed or certified in the same profession as that being evaluated.
MP: To propose 326.10 Subd. 2 be changed as above

- D) Proposed changes to Statute 326.111 Subd. 3, 4, 5, and 8. This language was voted on in a previous committee meeting:

Subd. 3. Cease and desist orders.

(b) Service of the order ~~is effective if the order is served on the person or counsel of record personally or by certified mail to the most recent address provided to the board for the person or counsel of record.~~ may be by first class United States mail, including certified United States mail, or overnight express mail service, postage prepaid and addressed to the party at the party's last known address. Service by United States mail, including certified mail, is complete upon placing the order in the mail or otherwise delivering the order to the United States mail service. Service by overnight express mail service is complete upon delivering the order to an authorized agent of the express mail service.

Subd. 4. Actions against applicants and licensees.

(c) Service of the order ~~is effective if the order is served on the licensee, certificate holder, applicant, person, or counsel of record personally or by certified mail, to the most recent address provided to the board for the licensee, certificate holder, applicant, person, or counsel of record.~~ may be by first class United States mail, including certified United States mail, or overnight express mail service, postage prepaid and addressed to the party at the party's last known address. Service by United States mail, including certified mail, is complete upon placing the order in the mail or otherwise delivering the order to the United States mail service. Service by overnight express mail service is complete upon delivering the order to an authorized agent of the express mail service. The order shall state the reasons for the entry of the order.

Subd. 5. Procedure for temporary suspension of license or certificate.

(b) Service of the order ~~is effective if the order is served on the licensee or counsel of record personally or by certified mail, to the most recent address provided to the board for the licensee or counsel of record.~~ may be by first class United States mail, including certified United States mail, or overnight express mail service, postage prepaid and addressed to the party at the party's last known address. Service by United States mail, including certified mail, is complete upon placing the order in the mail or otherwise delivering the order to the United States mail service. Service by overnight express mail service is complete upon delivering the order to an authorized agent of the express mail service.

Subd. 8. Actions against lapsed license or certificate. If a license or certificate lapses, is surrendered, withdrawn, terminated, or otherwise becomes ineffective, the board may institute a proceeding under this subdivision within two years after the license or certificate was last effective and enter a revocation or suspension order as of the last date on which the license or certificate was in effect, or impose a civil penalty as provided for in subdivision 6.

MSP: To propose 326.111 Subd. 3, 4, 5, and 8 be changed as above

E) Proposed change to Statute 326.10 Subd. 10:

Subd. 10. Temporary military license. The board shall establish a temporary license in accordance with section 197.4552 for the practice of architecture, professional engineering, geosciences, land surveying, landscape architecture, and interior design. The fee for the temporary license under this subdivision for the practice of architecture, professional engineering, geosciences, land surveying, landscape architecture, or interior design is ~~\$132~~ 0.

MSP: To propose 326.10 Subd. 10 be changed as above

F) Proposed change to Statute 326.05:

326.05 QUALIFICATIONS OF BOARD MEMBERS.

Each member of the board shall be a resident of this state at the time of and throughout the member's appointment. Each member except the public members shall have been engaged in the practice of the relevant profession for at least ~~ten~~ five years and shall have been in responsible charge of professional work requiring licensure as an architect, engineer, land surveyor, landscape architect, or geoscientist, or certification as an interior designer for at least five years.

MSF: To propose 326.05 be changed as above

G) The committee will continue to work through the rules.

MSP: To approve Rules Committee Report

6) CREDENTIALING COMMITTEE REPORT (R. Dwyer, Committee Chair)

A) No meeting held

7) ARCHITECT, LANDSCAPE ARCHITECT AND CERTIFIED INTERIOR DESIGNER (ALACID) SECTION REPORT (S. Robinson, Section Chair)

A) Approved minutes of March 16, 2022 meeting

B) March 2022 NCARB Data for Minnesota – Discussed.

C) NCARB Annual Meeting 2022 Resolutions – Discussed ahead of vote at June meeting.

D) CLARB Mid-Year Update Conference Summary, April 20, 2022 – G. Sones discussed the meeting and the model law votes that took place.

MSP: To accept ALACID Section Report

- 8) ENGINEER, LAND SURVEYOR AND GEOSCIENCE (ELSGEO) SECTION REPORT
(M. Rodriguez, Section Chair)
- A) Difficulty of filling open positions was discussed.
 - B) Foreign education evaluation services for geology degrees was discussed.
 - C) ASBOG Annual Council of Examiners/Task Analysis Survey Workshop, April 6-9, Albany NY – Discussed.
 - D) Report on NCEES Central and Southern Zone Joint Interim Meeting, April 21-23, Oklahoma City OK – Discussed.

MSP: To accept ELSGEO Section Report

- 9) EXECUTIVE COMMITTEE REPORT (P. Vogel, Chair)
- A) No meeting held

- 10) TREASURER’S REPORT (M. Rodriguez, Treasurer)
- A) Budget and Revenue Reports – Operating within budget, no items of concern.

MSP: To accept Treasurer’s Report

- 11) EXECUTIVE DIRECTOR REPORT (D. Johnson, Executive Director)
- A) Open Appointments – More Landscape Architect candidates sought to increase the pool available to the Governor.
 - B) Staffing Updates – Interviews underway for new investigator
 - C) Board members should expect an e-mail asking for number of hours they have volunteered in the course of their appointment for inclusion in the upcoming *Biennial Report*

MSP: To accept Executive Director’s Report

- 12) UNFINISHED BUSINESS
- A) No unfinished business

- 13) NEW BUSINESS
- A) Direct Supervision/Responsible Control memo and joint request, American Council of Engineering Companies (ACEC) and American Institute of Architects (AIA) (J. Meyer, ACEC; M. Zindren, AIA-MN; J. Coleman, Coleman and Erickson for ACEC-AIA) – Mr. Meyer, Ms. Zindren and Mr. Coleman advocated for changes to statute and/or rule regarding responsible charge/control and presented documentation of similar changes in Colorado
 - B) Continuing Education Exemption Requests

- i) Request 1: Licensee requested an exemption under Minnesota Statute 326.107, Subp. 4

MSP: To approve continuing education exemption request

- ii) Request 2: Licensee requested an exemption under Minnesota Statute 326.107, Subp. 4

MSP: To approve continuing education exemption request

- C) Licensee Report

MSP: To approve Licensee Report

- D) 2022-2024 Renewals Update – Discussed

- E) Proposed change to Statute 326.05:

326.05 QUALIFICATIONS OF BOARD MEMBERS.

Each member of the board shall be a resident of this state at the time of and throughout the member's appointment. Each member except the public members shall have been engaged in the practice of the relevant profession for at least ~~ten~~ five years and shall have been in responsible charge of professional work requiring licensure as an architect, engineer, land surveyor, landscape architect, or geoscientist, or certification as an interior designer for at least five ~~two~~ years.

MSP: To propose 326.05 be changed as above

- F) Council of Landscape Architecture Registration Boards (CLARB) Annual Meeting September 21-23 in Omaha, NE – Request for authorization to attend for two Board members and Executive Director

MSP: To approve attendance for up to two Board members and the Executive Director

- G) Election of Executive Committee – Ballot vote required by bylaw

Chair: Daniel Kelsey, PE (withdrew prior to vote)

Paul Vogel, LS

Melisa Rodriguez, PE (withdrew prior to vote)

Nominations were opened and requested three times. There were no nominations from the floor.

Paul Vogel, LS, was elected Board Chair by ballot vote.

Vice Chair: Denise Kazmierczak, PE

Daniel Kelsey, PE (withdrew prior to vote)

Keith Rapp, PG

Claudia Reichert, CID (withdrew prior to vote)

Melisa Rodriguez, PE (withdrew prior to vote)

Nominations were opened and requested three times. There were no nominations from the floor.

Keith Rapp, PG, was elected Board Vice Chair by ballot vote.

Secretary: Daniel Kelsey, PE

Nominations were opened and requested three times. There were no nominations from the floor.

Daniel Kelsey, PE, was elected Board Secretary by ballot vote.

Treasurer: Daniel Kelsey, PE (withdrew due to election as Secretary)
Melisa Rodriguez, PE

Nominations were opened and requested three times. There were no nominations from the floor.

Melisa Rodriguez, PE, was elected Board Treasurer by ballot vote.

14) PUBLIC COMMENT – None

15) ADJOURN

Adjourned at 1:20 pm

Next Meeting: July 12, 2022.

See website for committee/section times and locations.



MINNESOTA BOARD OF
ARCHITECTURE ■ ENGINEERING ■ LAND SURVEYING
LANDSCAPE ARCHITECTURE ■ GEOSCIENCE ■ INTERIOR DESIGN

BOARD MEMORANDUM

May 12, 2022

**TO: ARCHITECT/LANDSCAPE ARCHITECT/CERTIFIED INTERIOR DESIGNER
SECTION**

Scott Robinson, LA, Chair
Eric Friske, JD, PM
Scott Holm, M.Ed., CBO, PM
Erica Larson, CID
Sally Grans Korsh, FAIA

Meg Parsons, FAIA
Tari Rayala, Architect
Graham Sones, LA
David Stenseth, CPA, PM
Claudia Reichert, CID

FROM: Scott Robinson, LA, Chair

SUBJECT: MAY 12, 2022 ALACID SECTION MEETING MINUTES
81 7th Street, Suite 100
9:05 AM

1) CALL TO ORDER

Scott Robinson, LA, Chair
Eric Friske, JD, PM – **Absent**
Scott Holm, M.Ed., CBO, PM – **Absent**
Erica Larson, CID
Sally Grans Korsh, FAIA

Meg Parsons, FAIA
Tari Rayala, Architect – **Absent**
Graham Sones, LA
David Stenseth, CPA, PM
Claudia Reichert, CID

OTHERS:

Kay Weiss, Assistant Executive Director
Mary Roguski, OASI

GUESTS: None

APPROVAL OF THE FEBRUARY 22, 2022 SECTION MEETING MINUTES

A) February 22, 2022 meeting minutes

MSP: To approve the February 22, 2022 ALACID Section Meeting Minutes

2) UNFINISHED BUSINESS

A) Trends in the professions represented by this Section that may affect the Board's mission. – Carried over.

B) Architect licensure rules – These rule changes will be discussed at the Rules Committee meeting which follows this meeting, interested parties may wish to attend

3) NEW BUSINESS

A) March 2022 NCARB Data for Minnesota (FYI) – Discussed

****Graham Sones joined the meeting.***

B) NCARB Annual Meeting 2022 Resolutions (M. Parsons, reporting) – Discussed

C) CLARB Mid-Year Update Conference Summary, April 20, 2022 (G. Sones, reporting) - Discussed

4) ADJOURNED – 9:45 AM

Next meeting: July 12, 2022, TBD



MINNESOTA BOARD OF
ARCHITECTURE ■ ENGINEERING ■ LAND SURVEYING
LANDSCAPE ARCHITECTURE ■ GEOSCIENCE ■ INTERIOR DESIGN

BOARD MEMORANDUM

MAY 12, 2022

TO: ENGINEER/LAND SURVEYOR/GEOSCIENCE SECTION

Melisa Rodriguez, PE, Chair	Daniel Kelsey, PE
Daniel Baar, LS	Jami Neiber, PM
Paul Brandt, PSS	Keith Rapp, PG
Rachel Dwyer, PM	Travis Thul, PE
Nirmal Jain, PE	Paul Vogel, LS
Denise Kazmierczak, PE	

FROM: Melisa Rodriguez, PE, Chair

SUBJECT: May 12, 2022 ELSGEO SECTION MEETING MINUTES
STE 295
9:05 am

- 1) CALL TO ORDER
- | | |
|--|---------------------------------|
| Melisa Rodriguez, PE, Chair | Daniel Kelsey, PE |
| Daniel Baar, LS | Jami Neiber, PM |
| Paul Brandt, PSS | Keith Rapp, PG |
| Rachel Dwyer, PM – Absent | Travis Thul, PE – Absent |
| Nirmal Jain, PE – Absent | Paul Vogel, LS |
| Denise Kazmierczak, PE – Absent | |

OTHERS:

Doreen Johnson, Executive Director
Christie Vereide, OAS-I

GUESTS:

None

- 2) APPROVAL OF THE FEBRUARY 22, 2022, SECTION MEETING MINUTES
- A) February 22, 2022 meeting minutes
- MSP: To approve February 22, 2022 ELSGEO Section minutes**

3) UNFINISHED BUSINESS

- A) Trends in the professions represented by this Section that may affect the Board's mission
 - i) Difficulty in filling open positions in these professions, and need for outreach efforts in schools – Discussed
 - ii) Attrition in enrollment in some Minnesota land surveying programs, and lack of educators for those programs – Discussed
- B) Foreign education evaluation services for geology degrees – K. Rapp reported on discussions at ASBOG Annual Council on how other states handle foreign applicants and transcripts that need third-party evaluation. Information is being gathered by ASBOG for consideration.

4) NEW BUSINESS

- A) ASBOG Annual Council of Examiners/Task Analysis Survey Workshop Report, April 6-9, Albany NY (K. Rapp reporting)
 - i) Evaluation of past October's test, and test to be distributed this coming October
 - ii) 2nd of three task analysis workshops, will determine testing for the next five years
- B) NCEES Central and Southern Zone Joint Interim Meeting Report, April 21-23, Oklahoma City OK (M. Rodriguez, P. Vogel reporting)
 - i) Motions that will be voted on at the annual meeting in August were presented to all attendees
 - ii) Desire for consistency in continuing education requirements from state to state was expressed in the engineers' forum
 - iii) Surveyors' forum – Discussion of splitting the PS exam into five modules, earliest this could be implemented is 2025 but there are still many decisions to be made and ramifications for time and fees to be considered. Doreen Johnson commented on fees related to test-taking as a potential barrier to licensure.

5) ADJOURN

MSP to adjourn at 9:53 am



MINNESOTA BOARD OF
ARCHITECTURE ■ ENGINEERING ■ LAND SURVEYING
LANDSCAPE ARCHITECTURE ■ GEOSCIENCE ■ INTERIOR DESIGN

BOARD MEMORANDUM

MAY 12, 2022

TO: RULES COMMITTEE

Claudia Reichert, CID, Chair
Daniel Baar, LS
Scott Holm, M.Ed, CBO, PM
Jami Neiber, PM

Meg Parsons, FAIA
Scott Robinson, LA
Melisa Rodriguez, PE
Travis Thul, PhD, PE

FROM: Claudia Reichert, CID, Chair

SUBJECT: MAY 12, 2022 RULES COMMITTEE MEETING MINUTES

81 7th St, Suite 100, St. Paul
9:45 AM

1) CALL TO ORDER

Claudia Reichert, CID, Chair
Daniel Baar, LS
Scott Holm, M.Ed, CBO, PM - **Absent**
Jami Neiber, PM
Meg Parsons, FAIA
Scott Robinson, LA
Melisa Rodriguez, PE
Travis Thul, PhD, PE – **Absent**

OTHERS:

Sally Grans Korsh, FAIA
Erica Larson, CID
Keith Rapp, PG
Graham Sones, LA

Paul Vogel, LS
Doreen Johnson, Executive Director
Kay Weiss, Assistant Executive Director
Mary Roguski, OAS-I

GUESTS:

None

- 2) APPROVAL OF THE AUGUST 6, 2019, JULY 20, 2021, AND SEPTEMBER 2, 2021
JOINT CREDENTIALING AND RULES COMMITTEE MEETING MINUTES
**MSP: To approve the minutes of the meetings of August 6, 2019, July 20, 2021,
and September 2, 2021**

3) UNFINISHED BUSINESS

- A) "Rules vs. Statutes" Refresher – Discussed.
B) Proposed Statute changes, Minnesota Statutes 326.02, 326.10, and
326.111

- i) Statute 326.10, Subd. 1 (1):

Subd. 1. Issuance. (1) To any person ~~over 25 years of age,~~ who complies with the Rules of Professional Conduct established in rule by the Board, ~~is of good moral character and repute,~~ and who has the experience and educational qualifications which the board by rule may prescribe.

**MSP: To propose to the Board that 326.10 Subd. 1 (1) be changed
as above**

- ii) Statute 326.10, Subd. 1 (2):

(2) To any person who holds an unexpired certificate of registration or license issued by proper authority in the District of Columbia, any state or territory of the United States, or any foreign country, in which the requirements for registration or licensure of architects, engineers, land surveyors, landscape architects, geoscientists, or certified interior designers, respectively, at the time of registration or licensure in the other jurisdiction, were equal, in the opinion of the board, substantially equivalent, as established by the Board in rule, to those fixed by the board and by the laws of this state, and in which similar privileges are extended to the holders of certificates of registration or licensure issued by this state. The board may require such person to submit a certificate of technical qualification from the National Council of Architectural Registration Boards in the case of an architect, from the National Council of Examiners for Engineering and Surveying in the case of an engineer, from the Council of Landscape Architectural Registration Boards in the case of a landscape architect, and from the National Council for Interior Design Qualification in the case of a certified interior designer.

**MSP: To propose to the Board that 326.10 Subd. 1 (2) be changed
as above**

- iii) Statute 326.10, Subd. 2:
Subd. 2. Examination. An applicant for licensure or certification must provide evidence of passing the required examinations as prescribed by rule of the board. The board, or a committee of the board, may subject any applicant for licensure or certification to such examinations as may be deemed necessary to establish qualifications.
In determining the qualifications of applicants, at least one member determining the qualifications must be licensed or certified in the same profession as that being evaluated.
MSP: To propose to the Board that 326.10, Subd. 2, be changed as above
- iv) Proposed change to Statute 326.10 Subd. 10:
Subd. 10. Temporary military license. The board shall establish a temporary license in accordance with section 197.4552 for the practice of architecture, professional engineering, geosciences, land surveying, landscape architecture, and interior design. The fee for the temporary license under this subdivision for the practice of architecture, professional engineering, geosciences, land surveying, landscape architecture, or interior design is ~~\$132~~ 0.
MSP: To propose to the Board that 326.10, Subd. 10, be changed as above
- v) Statute 326.05:
326.05 QUALIFICATIONS OF BOARD MEMBERS.
Each member of the board shall be a resident of this state at the time of and throughout the member's appointment. Each member except the public members shall have been engaged in the practice of the relevant profession for at least ~~ten~~ five years and shall have been in responsible charge of professional work requiring licensure as an architect, engineer, land surveyor, landscape architect, or geoscientist, or certification as an interior designer for at least five years.
MSP: To propose to the Board that 326.05 be changed as above
- vi) Proposed changes to 326.02, Subd. 4, Practice of Land Surveying – Further discussion warranted. Land surveying members will review prior to next meeting.
- vii) Proposed changes voted on at the September 2021 meeting were reviewed.

- C) Proposed Rules Revisions, Chapter 1800
 - i) Architect Comity – Discussed.
 - ii) PE Direct Registration – Discussed.
 - iii) MN Rule 1800.0900.4 (Evidence of Improved Qualifications) – Discussed.

- 4) NEW BUSINESS
 - A) Additional Proposed Rules Revisions, Chapter 1800 (**ATTACH 4A**) – Discussed. Committee members will review the changes and hold more discussion at the next meeting.
 - i) Issues related to definition of “applicant” (**ATTACH 4Ai**) – Discussed.
 - ii) Proposed rule changes from ELSGEO section meeting – Discussed.
 - iii) Other proposed changes – Discussed.

- 5) ADJOURN
 - Adjourned at 10:45 AM**

Subp. 1a. **Accredited institution of higher learning.** "Accredited institution of higher learning" means an educational institution accredited by one or more of the regional or national accrediting agencies or successor agencies recognized by the United States Department of Education.

Subp. 2. **Applicant.** "Applicant" means a person applying to ~~take the Architect Registration Examination, Fundamentals of Engineering Examination, Principles and Practice of Engineering Examination, Fundamentals of Surveying Examination, Principles and Practice of Surveying Examination, Minnesota Local Land Surveying Examination, Fundamentals of Geology Examination, Practice of Geology Examination, Fundamentals of Soil Science Examination, or Professional Practice of Soil Science Examination~~ or a person applying for licensure as an architect, professional engineer, land surveyor, landscape architect, professional geologist, professional soil scientist, or a person applying for certification as a certified interior designer. Applicant also means a candidate and persons who have passed their respective professional examination but have not yet received their license or certificate in Minnesota. [applying directly to?] the board to sit for an examination; receive an in-training classification; request licensure; request certification as a certified interior designer; renew a license; renew a certificate as a certified interior designer; or request reinstatement. [not in definition: request continuing education exemption; request variance].

Applicant also means a person who has been approved for licensure or certificate holder status but [has not submitted the licensure fee required in Minnesota Statute 326.105 and? Or is following statement enough?] has not yet received their license or certificate in Minnesota.

Subp. 3. **ASBOG.** "ASBOG" means the National Association of State Boards of Geology.

Subp. 4. **Certificate holder.** "Certificate holder" means a person who is or has been certified by the board as a certified interior designer.

Subp. 5. **CIDQ.** "CIDQ" means the Council for Interior Design Qualification.

Subp. 6. **CLARB.** "CLARB" means the Council of Landscape Architectural Registration Boards.

Subp. 7. **CSSE.** "CSSE" means the Council of Soil Science Examiners.

Subp. 8. **Examinee.** "Examinee" means an applicant who has been approved by the board to take the Architect Registration Examination, Fundamentals of Engineering Examination, Principles and Practice of Engineering Examination, Fundamentals of Surveying Examination, Principles and Practice of Surveying Examination, Minnesota Land Surveying Examination, Fundamentals of Geology Examination, Practice of Geology Examination, Fundamentals of Soil Science Examination, or Professional Practice of Soil Science Examination.

Subp. 9. **Graduate curriculum.** "Graduate curriculum" means a curriculum of education culminating in a master's degree or doctorate degree.

Subp. 10. **Graduate degree.** "Graduate degree" means a master's degree or doctorate degree.

Subp. 11. **Licensee.** "Licensee" means a person who is or has been licensed by the Minnesota board as an architect, professional engineer, land surveyor, landscape architect, professional geologist, or professional soil scientist.

Commented [WK(1): Point of information: This has ramifications elsewhere, if rule elsewhere says "accredited degree" and has no "or equivalent" language (or doesn't specify the type of accreditation (EAC, NAAB, etc).

Subp. 11a. MNLS. "MNLS" means the Minnesota Land Surveying Examination.

Subp. 12. **NCARB.** "NCARB" means the National Council of Architectural Registration Boards.

Subp. 13. **NCEES.** "NCEES" means the National Council of Examiners for Engineering and Surveying.

Subp. 14. **NCIDQ.** "NCIDQ" means the National Council for Interior Design Qualification.

Subp. 15. **Semester credit.** "Semester credit" means the conventional United States college semester credit. Quarter credits may be converted to semester credits by multiplying them by two-thirds.

Statutory Authority: *MS s 326.06*

History: *35 SR 2011; 43 SR 89; 44 SR 987*

Published Electronically: *March 20, 2020*

1800.0100 COOPERATION IN COMMUNICATIONS.

An applicant, licensee, or certificate holder shall respond to communications from the board, committees of the board, or the assistant attorney general on behalf of the board within 30 days of the mailing of communications, unless an earlier response is specified. An applicant, licensee, or certificate holder shall appear before the board, committees of the board, or the attorney general when requested to do so and provide copies of all pertinent records, including handwriting samples, to assist the board in its investigations. An applicant, licensee, or certificate holder shall sign an authorization letter giving the board access to information relating to a board investigation that is held by any federal, state, or other local government agency or professional organization, the subject matter of which pertains to conduct described in Minnesota Statutes, sections 326.02 to 326.15, when requested to do so by the board or by the attorney general.

Statutory Authority: *MS s 326.06*

History: *35 SR 2011*

Published Electronically: *July 7, 2011*

1800.0110 APPEARANCE BEFORE BOARD.

For purposes of assisting the board in determining the person's qualifications or compliance with Minnesota Statutes or Minnesota Rules, and at the request of the board, a committee of the board, or the attorney general on behalf of the board, a holder or applicant of a certificate or license issued by the board shall:

A. appear and provide sworn testimony before the board, a committee of the board, or the attorney general;

B. respond to any questions of the board, a committee of the board, or the attorney general; and

C. produce any evidence requested by the board, a committee of the board, or the attorney general.

Nothing in this part limits the board from requiring appearance before the board under any applicable statute or rule.

Statutory Authority: *MS s 326.06*

Commented [WK(2)]: TBD

Commented [WK(3)]: TBD

History: 35 SR 2011

Published Electronically: July 7, 2011

1800.0120 **NOTIFICATION.**

Commented [WK(4): TBD

Subpart 1. **Required information.**

A. Each applicant, licensee, or certificate holder shall provide the board a current street address and telephone number. A post office box address is not sufficient to satisfy this requirement. Each applicant, licensee, or certificate holder must notify the board in writing of any change in address within 30 days of the change.

B. Each applicant, licensee, or certificate holder shall provide the board with a legal name change document within 30 days of any change in name.

C. Each applicant, licensee, or certificate holder must notify the board in writing within ten days if the applicant, licensee, or certificate holder has been convicted of or has pled guilty or nolo contendere to a felony, an element of which is dishonesty or fraud, whether or not the person admits guilt.

D. Each applicant, licensee, or certificate holder must notify the board in writing within 60 days if the applicant, licensee, or certificate holder has had an architecture, engineering, land surveying, landscape architecture, geoscience license, or interior design certificate, right to exam, or other similar authority revoked, suspended, canceled, limited, or not renewed for cause in any state, commonwealth, or territory of the United States, in the District of Columbia, or in any foreign country.

Statutory Authority: *MS s 326.06*

History: 35 SR 2011; 43 SR 89

Published Electronically: August 16, 2018

1800.0130 **EXAMINATION IRREGULARITIES; CHEATING AND NONCOMPLIANT CONDUCT.**

Subpart 1. **Generally.** Cheating or noncompliant conduct by an applicant in applying for or taking the examination, or discovered subsequent to the examination, will result in the board initiating a complaint and investigation, which may lead to sanctions as identified in Minnesota Statutes, section 326.111.

Subp. 2. **Actions constituting cheating.** For purposes of Minnesota Statutes, section 326.111, subdivision 4, paragraph (a), clause (5), the following acts and practices are considered fraudulent, deceptive, or dishonest:

A. falsifying or misrepresenting educational credentials or other information required by the board to sit for the examination;

B. conduct that violates the standard of test administration, such as communicating with another examinee during administration of the examination, copying another examinee's answers, permitting another examinee to copy one's answers, or possessing unauthorized materials;

C. impersonating an examinee or permitting an impersonator to take the examination on one's own behalf;

D. unauthorized access or reference to prohibited devices or materials, inside of or outside of the examination room, other than that provided to the candidate by the examination administrator as part of the examination or as authorized by the board while the candidate is taking the examination;

E. conduct that violates the security of the examination materials, such as removing examination materials from the examination room or having unauthorized possession of any portion of a future, current, or previously administered licensing examination;

F. unauthorized disclosure of examination questions or content; or

G. seeking out confidential examination questions or content.

Subp. 3. **Nonlimitation of authority.** This part does not limit the authority of the board from taking action against an applicant, examinee, licensee, or certificate holder for conduct not specifically described in this part.

Subp. 4. **Remedial action during examination.** In any case in which it appears that cheating has occurred or is occurring, the board or an exam administrator will take action including summarily expelling the candidate involved from the examination or moving the candidate to a position in the test site away from other examinees where the candidate can be watched more closely.

Subp. 5. **Compliance with examination policies and procedures.** Examinees shall abide by the exam administrator's published examination policies and procedures. An examinee who does not fully comply with the exam administrator's requirements is subject to dismissal from the remainder of the examination in addition to any action taken by the board under Minnesota Statutes, section 326.111.

Subp. 6. **Consequences of noncompliant conduct with examination policies and procedures.** Evidence of failing to comply with the exam administrator's policies and procedures subsequent to an examination will be cause for action by the board. Examinees who do not fully comply with the exam administrator's policies and procedures during and after an examination are subject to having their exam results invalidated and being prohibited from taking the examination for a period of time of up to two years. Licensure examinations taken and passed in other states are not acceptable for licensure purposes in Minnesota while an individual is barred from taking a licensure examination in Minnesota.

Statutory Authority: *MS s 326.06*

History: *35 SR 2011; 43 SR 89*

Published Electronically: *August 16, 2018*

**1800.0400 APPLICATION FOR EXAMINATION, IN-TRAINING CLASSIFICATION,
LICENSURE, ~~AND~~ CERTIFICATION AS A CERTIFIED INTERIOR DESIGNER, AND
REINSTATEMENT.**

Subpart 1. **Forms and filing.** Applications ~~for professional practice~~ examination, licensure, or certification as a certified interior designer must be made on forms provided by the board and must be filed with the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design and accompanied by payment of the application fee as specified in Minnesota Statutes, section 326.105. An applicant shall file an application for licensure as an architect following passage of the Architectural Registration Examination (ARE) or meeting the requirements in part 1800.0800. An applicant shall file an application for certification as a certified interior designer following passage of the ~~National Council for Interior Design Qualification (NCIDQ)~~ examination or meeting the requirements outlined in part 1800.0800 or 1800.2100, subpart 5. An applicant shall file an application for licensure as a landscape architect following successful passage of the Landscape Architect Registration Examination (LARE) or meeting the requirements in part 1800.0800. Applications for examination, licensure, or certification must include a signed certification as described in subpart 5.

Subp. 1a. **Information required.** The applicant shall submit to the board, on a form provided by the board, the following information:

- A. ~~place and~~ date of birth;
- B. time and place of schools attended and studies completed;
- C. status relative to graduation from such schools or completion of studies;
- D. final official transcript showing the degree or degrees awarded and date of graduation;

E. for engineer, land surveyor, geologist, and soil scientist applicants, whether the Fundamentals of Engineering (FE), Fundamentals of Surveying (FS), ~~geologist in training~~ Fundamentals of Geology (FG), or ~~soil scientist in training~~ Fundamentals of Soil Science (FSS) examination has been successfully completed;

F. for landscape architect applicants, whether the Landscape Architect Registration Examination (LARE) has been successfully completed;

G. for certified interior designer applicants, whether the written examination administered by ~~the Council for Interior Design Qualification (CIDQ)~~ has been successfully completed;

~~G.~~ H. for architect applicants, whether the written examination administered by NCARB has been successfully completed;

H. I. a record of personal employment related to the experience requirements described in this Chapter, with all dates and with complete information relative to duties and type of work performed, and particularly outlining the applicant's responsibilities in charge of the whole or any part thereof; and

I. J. a signed copy of a statement that the applicant has read the Board Rules of Professional

Commented [WK(5)]: Otherwise, what about the other "examination" applications in Subp 3?

Commented [WK(6)]: We have not been collecting place of birth.

Commented [WK(7)]: Rationale: Criteria is the exam, not the In-Training classification; essentially, obsolete as is and inconsistent.

Commented [WK(8)]: If there's an F and G, we need to add this H.

Conduct.

Subp. 1b. **Failure to complete application.** The board shall consider an application withdrawn if the applicant fails to provide the board with all required information pertaining to the application within six months of the board's receipt of the application.

Subp. 2. **Evaluation of information.** The information required by subpart 1a shall be evaluated by the board and if the applicant is found ineligible for admission to the examination, ineligible for licensure as an architect or landscape architect, or ineligible for certification as a certified interior designer, at the time of application, the applicant shall be notified in writing and given the reasons for the ineligibility. If an applicant for licensure as an architect or landscape architect is eligible for licensure at the time of application, the applicant shall be notified by the board in writing. If an applicant for certification as a certified interior designer is eligible for certification at the time of application, the applicant shall be notified by the board in writing. If an applicant for examination is eligible for admission to the examination at the time of application, the applicant shall be notified by the board in writing.

Subp. 3. **In-training application.**

A. Applications for examination and certification as a land surveyor-in-training must be made on forms provided by the board, and accompanied by the application fee as specified in Minnesota Statutes, section 326.105.

B. Applications for certification as an engineer-in-training or a soil scientist-in-training must be made on forms provided by the board, and accompanied by the application fee as specified in Minnesota Statutes, section 326.105.

C. Applications for examination and certification as a geologist-in-training ~~or a soil scientist-in-training~~ must be made on forms provided by the board, and accompanied by the application fee as specified in Minnesota Statutes, section 326.105.

Commented [WK(9)]: MSP: ELSGEO

Subp. 4. **Reinstatement application.**

A. A licensee or certificate holder who applies for reinstatement of licensure as an architect, professional engineer, land surveyor, landscape architect, professional geologist, or professional soil scientist, or for reinstatement of certification as a certified interior designer, must apply on forms provided by the board, and submit the fees specified in Minnesota Statutes, section 326.10, subdivision 9.

B. The board shall evaluate completed applications and, if the licensee or certificate holder is found eligible for reinstatement of licensure or certification, the board shall reinstate the license or certificate and notify the licensee or certificate holder in writing. If the licensee or certificate holder is found ineligible for reinstatement of licensure or certifications, the board shall notify the licensee or certificate holder in writing and give the reasons for ineligibility.

C. The applicant for reinstatement shall submit to the board, on a form provided by the board, the following information:

(1) a list of professional development hours completed within the four years immediately prior to reinstatement, including the dates of the activity, sponsoring organization, description of the activity, and number of professional development hours claimed for each activity, unless the board has granted an exemption under Minnesota Statutes, section 326.107, subdivision 4;

and

~~(2) a statement of explanation if the applicant has had a license or certificate disciplined, denied, surrendered, suspended, or revoked in any jurisdiction since the applicant's last license or certificate renewal in Minnesota; and~~

~~(3)~~ (2) a signed certification as described in subpart 5.

Subp. 5. **Certification.** An applicant for examination, licensure, in-training classification, certification as a certified interior designer, or reinstatement shall submit to the board, on a form provided by the board, a certification affirming that the applicant:

A. has read and will comply with Minnesota Statutes, sections 326.02 to 326.15, and any rule adopted thereunder;

B. is not under any disciplinary proceeding or action in any other jurisdiction; nor has had a license or certificate disciplined, denied, surrendered, suspended, or revoked in any jurisdiction;

(1) in the case of an applicant never licensed in Minnesota, up to the date of application to the Board; or

(2) in the case of an applicant with a current, expired, or retired Minnesota license or certificate, since the applicant's last license or certificate renewal in Minnesota;

~~B.C.~~ has never been convicted of a felony;

~~C.D.~~ has not represented himself or herself as an architect, professional engineer, land surveyor, landscape architect, professional geologist, professional soil scientist, or certified interior designer, without proper licensure or certification, either verbally or on any printed matter, in the state;

~~D.E.~~ will not represent himself or herself as an architect, professional engineer, land surveyor, landscape architect, professional geologist, professional soil scientist, or certified interior designer, without proper licensure or certification, either verbally or on any printed matter, in the state until the applicant's license or certificate has been issued or reinstated by the board;

~~E.F.~~ has not performed or offered to perform any services reserved in statute to those properly licensed as an architect, professional engineer, land surveyor, landscape architect, professional geologist, or professional soil scientist in the state; architectural, professional engineering, land surveying, landscape architectural, professional geological, professional soil scientific, or certified interior design services, without proper licensure or certification in the state; and

~~F.G.~~ will not perform or offer to perform any services reserved in statute to those properly licensed as an architect, professional engineer, land surveyor, landscape architect, professional geologist, or professional soil scientist in the state until the applicant's license has been issued or reinstated by the board. ~~architectural, professional engineering, land surveying, landscape architectural, professional geological, professional soil scientific, or certified interior design services, without proper licensure or certification in the state until the applicant's license or certificate has been issued or reinstated by the board.~~

Applicants who are unable to affirm any part of the certification under this subpart must indicate which statement or statements cannot be affirmed and include an explanation for board review with

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the application for examination, licensure, certification, or reinstatement.

Statutory Authority: *MS s 197.4552; 326.06; 326.10*

History: *21 SR 1427; 22 SR 90; 29 SR 754; 33 SR 2041; 35 SR 2011; 38 SR 59; 40 SR 431; 43 SR 89; 43 SR 1301*

Published Electronically: *May 13, 2019*

1800.0450 TEMPORARY MILITARY LICENSE OR CERTIFICATE.

Subpart 1. **Information required.** An applicant shall submit an application for a temporary military license or certificate under Minnesota Statutes, section 197.4552, accompanied by payment of the license fee as specified in Minnesota Statutes, section 326.10, subdivision 10. The application must be made under oath on a form provided by the board and must include one signed copy of a

statement that the applicant has read the Board Rules of Professional Conduct. The applicant shall supply the board with evidence of all of the following:

A. military status:

- (1) active duty military member;
- (2) spouse of an active duty military member; or
- (3) confirmation of an honorable or general discharge status within the two years preceding the date of temporary military certificate application;

B. verification of current licensure or certification in another state; and

C. a current criminal background study.

Subp. 2. **Evaluation of information.** The board shall evaluate the information required by subpart 1. If the board finds the applicant is eligible for licensure or certification, the board shall issue a temporary license or certificate and notify the applicant in writing. If the board finds the applicant is ineligible for a temporary military license or certificate, the board shall notify the applicant in writing and give the reasons for ineligibility.

Subp. 3. **Temporary license or certificate period.** A temporary military license or certificate is valid for not more than six months from the date of issuance and expires on the date listed on the temporary license or certificate, upon the board's determination that the applicant is ineligible for licensure or certification, or upon issuance of a license or certificate under part 1800.4100, whichever occurs first.

Subp. 4. **Application required.** During the temporary license or certificate period, the individual shall complete the full application required for licensure as an architect, professional engineer, land surveyor, landscape architect, or geoscientist or for certification as a certified interior designer. If the board finds an applicant is eligible for licensure, the board shall issue ~~a certificate of licensure~~ the license or certificate as provided under part 1800.4100 and notify the applicant. If the board finds the applicant is eligible for certification as a certified interior designer, the board shall issue a certificate as provided under part 1800.4100, subpart 7, and notify the applicant. If the board finds the applicant is ineligible for licensure or certification, the board shall notify the applicant in writing and give the reasons for ineligibility.

Subp. 5. **Limitations.** The board shall not issue a temporary military license or certificate to an applicant who has previously received a temporary license or certificate. A temporary military license or certificate shall not be renewed.

Statutory Authority: *MS s 197.4552; 326.06*

History: *40 SR 431*

Published Electronically: *October 22, 2015*

1800.0500 FEES.

Subpart 1. **Requirements.** An application for examination as a professional engineer, land surveyor, professional geologist, or professional soil scientist must be accompanied by an application

fee as provided by Minnesota Statutes, section 326.105. The board shall charge, or provide for a third party to charge, each applicant a fee for examination and an examination monitoring fee as provided by Minnesota Statutes, section 326.105.

Following an applicant's completion of the requirements for licensure, the board shall supply the applicant with an application for licensure as an architect, professional engineer, land surveyor, landscape architect, professional geologist, or professional soil scientist, which the applicant shall complete and return with the initial fee for licensure as provided by Minnesota Statutes, section 326.105. Following an applicant's completion of the requirements for certification, the board shall supply the applicant with an application for certification as a certified interior designer, which the applicant shall complete and return with the initial fee for certification as provided by Minnesota Statutes, section 326.105. An applicant applying for licensure by comity under part 1800.0800, item F, G, H, or I, shall pay an application fee under subpart 7, item A. Upon approval by the board, an applicant for licensure as a land surveyor by comity under part 1800.0800, item G, shall submit an examination fee in the amount established by the local testing agency and an examination monitoring fee as provided in Minnesota Statutes, section 326.105.

For applicants deemed ineligible for licensure or certification, a new application shall be submitted each time new evidence of eligibility submitted.

Commented [WK(10): See comment below

An application for renewal of licensure as an architect, professional engineer, land surveyor, landscape architect, professional geologist, professional soil scientist, or certification as a certified interior designer must be accompanied by a renewal fee as provided in Minnesota Statutes, section 326.105.

An application for examination as a land surveyor-in-training, or geologist-in-training, or soil scientist-in-training must be accompanied by an application fee as provided in Minnesota Statutes, section 326.105. Upon approval by the board, an applicant for an examination administered by the board shall pay to the board a fee in the amount established by the applicable national testing agency and an examination monitoring fee as provided by Minnesota Statutes, section 326.105. For examinations administered by a third-party vendor, the applicant shall pay the actual fee for examination to the national testing agency in a manner it prescribes. Information concerning the current examination fee charged by the applicable national testing agency may be obtained by contacting the board offices.

For applicants who are found to be ineligible for admission to the examination, or who fail the examination, do not register by a required deadline, do not show for the examination, or do not pay any required examination fee by a required deadline, a new application for examination shall be submitted each time the applicant applies to take the examination.

Commented [WK(11): What about those that are ineligible for licensure and need to reapply after fixing deficit. If we mention exam candidates why aren't we mentioning lic candidates?

An application for certification as an engineer-in-training or soil scientist-in-training must be accompanied by an application fee as provided in Minnesota Statutes, section 326.105.

Commented [WK(12): MSP: ELSGEO

Subp. 2. **Refunds.** Application fees are not refundable. Examination, licensure, or certification fees must not be refunded except for those circumstances when an applicant does not meet the education, examination, or experience requirements for examination, licensure, or certification.

Subp. 3. [Repealed, L 1999 c 213 s 5]

Subp. 4. **Delayed renewal fee.** A renewal fee is a delayed renewal fee within the meaning of Minnesota Statutes, section 326.10, subdivision 9, if it is not postmarked on or before June 30 of

the year specified in Minnesota Statutes, section 326.105. The delayed renewal fee is \$30 ~~for the first three months of the lapsed period and \$60 for months four to 24~~ per biennium. The delayed renewal fee is computed from July 1 of any even-numbered year and is in addition to the renewal fee provided in Minnesota Statutes, section 326.105.

Subp. 5. [Repealed, 22 SR 90]

Subp. 6. [Repealed, 22 SR 90]

Subp. 7. **Additional fees.** In addition to all other fees for examination, licensure, or certification, as provided in this part or Minnesota Statutes, section 326.10, subdivision 1, the following schedule of fees is applicable:

A. for each application for licensure by comity under Minnesota Statutes, section 326.10, subdivision 1, clause (2), applicable to any person registered in another state or territory of the United States, or in any province of Canada, or in any foreign country, a fee of ~~\$100~~ \$75;

B. for reissuance of a revoked, lost, destroyed, duplicated, or mutilated certificate of licensure or certificate as a certified interior designer, \$25;

~~C. for certified copies or reproduction of any document required to be supplied on behalf of any applicant for registration or licensure in another state, the cost of reproducing the document will be ten cents per sheet;~~

~~D.~~ C. for monitoring licensing examinations for applicants of boards of other states, the fee shall be \$25, payable by the applicant;

~~E.~~ D. an applicant for examination in more than one branch of engineering shall submit a separate examination fee for each additional branch of engineering for which the applicant has applied for examination; and

~~F.~~ E. for retaking all or any part of any examination for certification or licensure, the fee shall be established by the national testing agency.

Statutory Authority: *MS s 214.06; 214.12; 326.06; 326.10*

History: *8 SR 1777; 12 SR 2574; 14 SR 2988; 17 SR 711; 18 SR 2174; 21 SR 1427; 22 SR 90; L 1999 c 213 s 5,6; 29 SR 754; 38 SR 59; 43 SR 89; 43 SR 1301*

Published Electronically: *May 13, 2019*

1800.0600 CERTIFICATE OF REGISTRATION.

Certification of an applicant's technical qualifications by the ~~National Council of Architectural Registration Boards (NCARB)~~, the ~~National Council of Examiners for Engineering and Surveying (NCEES)~~, the ~~Council of Landscape Architectural Registration Boards (CLARB)~~, or the ~~Council for Interior Design Qualification (CIDQ)~~ may be accepted by the board as establishing such qualifications, and the applicant, in such instances, will not be required to pass further examination.

Statutory Authority: *MS s 197.4552; 326.06; 326.10*

Commented [WK(13): Authority: MN Statute 16A.1283 (c)

History: 21 SR 1427; 29 SR 754; 40 SR 431

Published Electronically: October 22, 2015

1800.0700 [Repealed, 21 SR 1427]

Published Electronically: July 7, 2011

1800.0800 PROOF OF QUALIFICATION TO PRACTICE.

An applicant shall submit evidence to the board indicating that the applicant is qualified to practice in the profession or field of major practice in which the applicant seeks licensure or certification. The burden of proof is upon the applicant who should make every effort to present qualifications fully and clearly. Qualifications shall be established by one or more of the following methods:

A. by passing a written examination;

B. by submitting satisfactory exhibits of technical qualifications;

C. by submitting a council certificate prepared by the ~~National Council of Architectural Registration Boards (NCARB)~~, for architect applicants only;

D. by submitting a council record prepared by the ~~National Council of Examiners for Engineering and Surveying (NCEES)~~ for engineer applicants only;

E. by submitting a council record prepared by the ~~Council of Landscape Architectural Registration Boards (CLARB)~~, for landscape architect applicants only;

F. for licensure by comity as an architect, engineer, or landscape architect, by submitting documentation of completion of the requirements in Minnesota Statutes, section 326.10, subdivision 1, clause (2);

G. for licensure by comity as a land surveyor, by submitting documentation of completion of the requirements in Minnesota Statutes, section 326.10, subdivision 1, clause (2). In addition, the applicant is required to successfully complete the local professional practice examination;

H. for certification by comity as a certified interior designer, by submitting documentation of completion of the requirements in Minnesota Statutes, section 326.10, subdivision 1, clause (2). Applicants who were certified in other states prior to August 1, 1992, shall meet the requirements of part 1800.2100; or

I. for licensure within a professional geoscience discipline by comity, by submitting documentation of completion of the requirements in Minnesota Statutes, sections 326.10, subdivision 1, clause (2).

Statutory Authority: MS s 197.4552; 214.12; 326.06; 326.10

History: 17 SR 1279; 18 SR 2174; 21 SR 1427; 22 SR 90; 27 SR 584; 29 SR 754; 36 SR 1103; 38 SR 59; 40 SR 431

Published Electronically: October 22, 2015

1800.0850 COMITY APPLICATION PROCEDURES.

Subpart 1. **Definition.** For the purposes of this chapter, "comity" means an application submitted under Minnesota Statutes, section 326.10, subdivision 1, clause (2).

Subp. 2. **Information required.** An applicant shall submit an application accompanied by payment of the application fee in part 1800.0500, subpart 7, item A. The application must be made on a form provided by the board and must include one signed copy of a statement that the applicant has read the Board Rules of Professional Conduct and a signed certification as described in part 1800.0400, subpart 5. The applicant shall supply the board with evidence of completion of the required education, examination, and experience requirements by submitting:

A. a council record as specified under part 1800.0800, item C, D, or E; or

B. (1) official transcripts of grades showing the degrees awarded and dates of graduation;

(2) a detailed listing of experience gained with signed experience reference forms submitted by the supervisor;

~~(3)~~ (3) verification of current licensure or certification in another jurisdiction; and

~~(4)~~ (4) verification of passing the required examinations.

For applicants whose degree was not earned at an accredited institution of higher learning, the applicant must prove education equivalency by submitting, along with the application, an education evaluation from an evaluation service approved by the board.

Subp. 3. **Evaluation of information.** The board shall evaluate the information required by subpart 2. If the board finds the applicant eligible for licensure or certification, the board shall notify the applicant in writing and shall provide the applicant with the procedure for paying the licensure or certification fee required by Minnesota Statutes, section 326.105. If the board finds the applicant ineligible for licensure or certification, the board shall notify the applicant in writing and give the reasons for ineligibility.

Subp. 4. **Failure to complete application.** The board shall consider an application withdrawn if the applicant fails to provide the board with all required information pertaining to the application within six months of the board's receipt of the application.

Statutory Authority: *MS s 326.06*

History: *43 SR 89*

Published Electronically: *August 16, 2018*

1800.0900 QUALIFICATION PROCEDURES.

Subpart 1. **Exhibits.** Exhibits in connection with oral interview or written examination shall be submitted when requested by the board.

Subp. 2. [Repealed, 21 SR 1427]

Subp. 3. **Examination required.** An applicant for certification as an engineer-in-training, a land surveyor-in-training, a geologist-in-training, or a soil scientist-in-training must take all parts of the applicable fundamentals examination at one time. An applicant for licensure as a professional engineer, land surveyor, professional geologist, or professional soil scientist must pass the applicable

Commented [WK(14)]: MN Statute 326.10 Licensure and Certification: (2) To any person who holds an unexpired certificate of registration or license issued by proper authority in the District of Columbia, any state or territory of the United States, or any foreign country, in which the requirements for registration or licensure of architects, engineers, land surveyors, landscape architects, geoscientists, or certified interior designers, respectively, at the time of registration or licensure in the other jurisdiction, were equal, in the opinion of the board, to those fixed by the board and by the laws of this state, and in which similar privileges are extended to the holders of certificates of registration or licensure issued by this state

fundamentals examination prior to taking the professional examination, except for an applicant who meets the requirements for waiver of the fundamentals examination.

An applicant for licensure as a professional engineer, professional geologist, or professional soil scientist must take all parts of the professional examination at one time.

Subp. 4. Reexamination. An applicant who does not receive a passing grade in an examination may submit a new application for examination. The application must be accompanied by an application fee as required under Minnesota Statutes, section 326.105. ~~The board shall require an applicant failing an examination three or more times to submit evidence of improved qualifications before approving a new application for examination.~~

Subp. 5. Date and place of examination. ~~Oral interviews may be given each year at such times as may be designated by the board.~~ A candidate who files an application for licensure by examination and is determined to be eligible for admission to the examination will be informed of ~~the date and place of the examination~~ their eligibility in writing. Examinations shall be scheduled once the applicant's application is approved.

Commented [WK(15): MSP: ELSGEO

Subp. 6. Registration in another state. An applicant duly registered in another state and whose registration is current, upon application for a temporary permit and notification from the Minnesota board that the temporary permit has been granted may practice the applicant's profession according to Minnesota Statutes, section 326.13, while the application for licensure or certification is pending board review.

The plans, specifications, and reports prepared by the applicant during the period in which the application is pending must bear the certification stamp of the state in which the applicant is registered along with a statement that the applicant has applied for registration in Minnesota and that the application is pending. The applicant shall place this stamp on each sheet of the set of drawings prepared for the project and on the title sheet of specifications and reports.

The Minnesota board does not require the use of a seal. If the state in which the applicant is registered has a seal or provisions for signing and dating plans, specifications, and reports, this will be acceptable. If the seal does not provide for signing and dating the plans, the applicant shall sign and date the plans under the seal imprint on each plan certified.

Subp. 7. Application for temporary permit.

A. Concurrent with the submission of an application for licensure as an architect, engineer, or geoscientist, or certification as a certified interior designer by comity, the applicant may submit an application for temporary permit under Minnesota Statutes, section 326.13, clause (1). The application must be made on a form provided by the board and must include details about the specific job for which the temporary permit is sought.

B. Upon receipt of all parts of an application for licensure or certification by comity under part 1800.0850, the board shall notify, in writing, an applicant who has requested a temporary permit whether the requirements for licensure or certification have been met. If the requirements for licensure or certification have been met, the board shall supply the applicant with a temporary permit that must be signed by the applicant and returned to the board office within five business

days. Temporary permits are valid for not more than 60 days and expire on the date listed on the permit or upon issuance of a license or certificate number, whichever occurs first.

Statutory Authority: *MS s 326.06; 326.10*

History: *17 SR 1279; 21 SR 1427; 22 SR 90; 27 SR 584; 29 SR 754; 36 SR 1103; 38 SR 59; 43 SR 89*

Published Electronically: *August 16, 2018*

EXAMINATION OF ARCHITECT APPLICANTS

1800.1000 EDUCATION AND EXPERIENCE.

Subpart 1. **Examination requirement.** An applicant for licensure as an architect shall pass the examination as described in part 1800.1200 and satisfy the education and experience requirements in subparts 5 and 6. An applicant for licensure under part 1800.0800, item C or F, must satisfy the Minnesota licensing requirements that were in effect at the time of the applicant's original licensure in the other state.

Subp. 1a. **Admission to examination.** For admission to the examination, an applicant shall apply directly to the ~~National Council of Architectural Registration Boards (NCARB)~~ and follow the procedures outlined by NCARB. The applicant must present evidence of one of the following:

A. the applicant meets the education requirement described in subpart 5 and has enrolled in the Architectural Experience Program (AXP) described in subpart 6; or

B. the applicant is actively participating in an architectural curriculum accredited by the National Architectural Accrediting Board (NAAB) that has been accepted into the NCARB Integrated Path to Architectural Licensure (IPAL) program.

Subp. 2. [Repealed, 14 SR 2988]

Subp. 3. [Repealed, 14 SR 2988]

Subp. 4. [Repealed, 14 SR 2988]

Subp. 5. **Education requirement.** An applicant for licensure must present evidence of

A. graduation from an architectural curriculum accredited by the National Architectural Accrediting Board (NAAB); ~~or~~

B. graduation from the Canadian Architectural Certification Board (CACB); ~~or~~

C. an architectural education from a United States or foreign institution of higher learning equivalent to an NAAB-accredited degree, for which the applicant shall obtain an Education Evaluation Services for Architects (EESA) evaluation report to submit with the initial application for evaluation by the board; ~~or~~

D. a baccalaureate degree from an accredited institution of higher learning and evidence in their NCARB record of satisfying the "NCARB Education Alternative" by documenting double

Commented [KW16]: This still means a US degree. NCARB Ed Alt is for the US-educated.

the experience requirement in Subpart 6(B)(2) . An applicant using this education alternative shall not have any disciplinary record in any jurisdiction or with NCARB.

~~An applicant holding a degree from a foreign college or university must be granted credit toward the requirements of this subpart on the same basis as a graduate of a United States college or university if the board determines that the educational requirements for the degree are equivalent to the requirements of this subpart. The applicant shall obtain an Education Evaluation Services for Architects (EESA) evaluation report to submit with the initial application for evaluation by the board.~~

Commented [WK(17): If this is added here, it means an initial candidate can apply this way. This becomes an EEE path rather than a comity path to licensure.

Subp. 6. **Experience requirement.** An applicant for licensure must present evidence of completion of the experience requirement. Qualifying credits for experience must be granted as described in items A and B.

A. The applicant's total experience must meet the requirements for qualifying experience in subpart 7.

B. Experience must comply with either:

(1) the Architectural Experience Program Guidelines (AXP) published by the ~~National Council of Architectural Registration Boards~~ (NCARB), July 2016, which is incorporated by reference, is available at the State Law Library and the board office, and is subject to frequent change;

(2) the Intern Development Program Guidelines (NCARB-IDP) published by NCARB, if the candidate completed the program before June 29, 2016; or

(3) the Minnesota Intern Development Program if the candidate began the program prior to March 1, 1997.

Commented [WK18]: Obsolete?

A candidate is responsible for establishing an ~~NCARB-National Council of Architectural Registration Boards~~ Architectural Experience Program (AXP) record.

Subp. 7. **Qualifying experience defined.** As used in this part, "qualifying experience" consists of value units as required to satisfy the Architectural Experience Program (AXP) requirements as defined in the ~~National Council of Architectural Registration Boards~~ NCARB Architectural Experience Program guidelines.

Subp. 8. [Repealed, 21 SR 1427]

Statutory Authority: *MS s 197.4552; 326.06*

History: *L 1987 c 258 s 12; 14 SR 2988; L 1989 c 246 s 2; 21 SR 1427; 25 SR 1862; 33 SR 2041; 38 SR 59; 40 SR 431; 43 SR 89; 43 SR 1301*

Published Electronically: *May 13, 2019*

1800.1100 PROCEDURES.

Subpart 1. **Completion date.** An applicant is eligible for licensure upon verified completion of the education, examination, and experience requirements.

Subp. 2. **Application for licensure.** An applicant for initial licensure as an architect shall submit to the board a completed application, including verification of meeting the education and experience requirements described in part 1800.1000, subpart 1a, and payment of the application fee in Minnesota Statutes, section 326.105. The application must be submitted on a form provided by the board. If the applicant was not required to complete NCARB-AXP or NCARB-IDP, the applicant shall include a detailed listing of all architecturally related experience gained according to part 1800.1000. The experience listing must include the name and mailing address of the applicant's supervising licensed architect or other supervisor for each period of employment. The

board shall provide the applicant an experience reference form that must be signed and submitted to the board by each supervisor for each period of employment during which qualifying architectural experience was gained. [The applicant shall submit an official transcript of grades showing the degree awarded and date of graduation for all undergraduate and graduate degree programs. The application must include one signed copy of Board Rules of Professional Conduct and a signed certification as described in part 1800.0400, subpart 5.]

Subp. 3. [Repealed, 21 SR 1427]

Subp. 4. **Obtaining application.** Application materials may be obtained from the board's website.

Statutory Authority: *MS s 326.06*

History: *14 SR 2988; 21 SR 1427; 22 SR 90; 25 SR 1862; 33 SR 2041; 43 SR 89; 43 SR 1301*

Published Electronically: *May 13, 2019*

1800.1200 EXAMINATION.

Subpart 1. Architect Registration Examination.

A. ~~The National Council of Architectural Registration Boards (NCARB)~~ shall prepare and furnish the Architect Registration Examination (ARE).

B. An applicant is required to pass all sections of the ARE examination, or its equivalent as established by NCARB, in order to qualify for licensure. The applicant shall attain the uniform passing grade established by the board through psychometrically acceptable standard-setting procedure.

Subp. 2. [Repealed, 14 SR 2988]

Subp. 3. [Repealed, 14 SR 2988]

Subp. 4. [Repealed, 14 SR 2988]

Subp. 5. **Equipment during examinations.** For the Architect Registration Examination, applicants shall only use the equipment approved by the examination delivery vendor.

Statutory Authority: *MS s 326.06*

History: *14 SR 2988; 21 SR 1427; 25 SR 1862; 33 SR 2041; 43 SR 89; 43 SR 1301*

Published Electronically: *May 13, 2019*

EXAMINATION OF LANDSCAPE ARCHITECT APPLICANTS

1800.1500 EDUCATION AND EXPERIENCE.

Subpart 1. **Examination requirement.** An applicant for licensure as a landscape architect shall pass the examination referred to in part 1800.1700. An applicant for licensure under part 1800.0800, item F, must satisfy the Minnesota licensing requirements in effect at the time of the applicant's original licensure in the other state.

Commented [KW19]: This section is specifically about initial licensure and this is not applicable to initial licensure—unless (and only unless) B(3) above is obsolete. Otherwise, there is no initial license candidate allowed to use the forms; they are required to have NCARB Record.

Commented [KW20]: General observation that there is repetition throughout of materials required for application. This is potentially both useful (is in the area for each profession) and problematic (need extra care that a rule change in one area does not negatively impact/contradict rule in other area).

Commented [KW21]: Ask Revisor: Necessary?

Commented [WK(22): Necessary for those applying by EEE.

Subp. 2. **Admissions to examination.** For admission to the examination, an applicant shall apply directly to the Council of Landscape Architectural Registration Boards (CLARB) and follow the procedures outlined by CLARB.

Subp. 3. **Education requirement.** An applicant for licensure as a landscape architect shall present evidence of

A. graduation from a landscape architecture ~~curriculum~~ masters degree program of a university or college accredited by the Landscape Architectural Accreditation Board (LAAB) or the Landscape Architectural Accreditation Council (LAAC); or

B. graduation from a landscape architecture baccalaureate degree program accredited by the Landscape Architectural Accreditation Board (LAAB) or the Landscape Architectural Accreditation Council (LAAC); or

C. graduation from a non-LAAB or non-LAAC accredited baccalaureate curriculum in landscape architecture, a NAAB-accredited degree architecture program, or an architectural, civil, or structural engineering degree program that is an EAC-ABET accredited.

D. graduation from any baccalaureate degree program from an accredited institution of higher learning, or a two-year associates or certificate program in landscape architecture.

Applicants under Subp. 3, items C and D, with a degree from a foreign institution must provide an education evaluation report from an evaluation service approved by the board, along with the application, as evidence of equivalency.

Subp. 4. **Experience requirement.** An applicant for licensure as a landscape architect shall present evidence of completion of the experience requirement in items A to C.

A. The number of years of professional experience required are

- (1) ~~Three~~ Two years, if the applicant meets the education requirements in Subp. 3, item A.
- (2) ~~Four~~ Three years, if the applicant meets the education requirements in Subp. 3, item B.
- (3) Six years, if the applicant meets the education requirements in Subp. 3, items C or D.

A. is based on the following table:

Degree Received	Years of Education	Years of Professional Experience
Graduation from a five-year baccalaureate curriculum in Landscape Architecture accredited by the LAAB or LAAC.	5	3

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Commented [WK(23)]: CLARB model law has foreign degree equivalency HERE, but without an established education evaluator of LAAB degrees, I don't see how we can add that here.

Commented [WK(24)]: Same note as above.

Commented [WK(25)]: "MN amendment," basically. "Protecting LAAB" is poor argument as to why not to do this. CLARB model law itself is undermining LAAB degree (no such degree required for their alt paths).

Commented [KW26]: Do we need to which service? And is there one?

Commented [KW27]: This is a reduction in our current required experience.

~~Graduation from a four year baccalaureate curriculum in Landscape Architecture accredited by the LAAB or LAAC.~~ 4 4

~~Graduation from a LAAB-accredited master's or doctorate curriculum in Landscape Architecture.~~ 5 or more 3

B. Qualifying experience must be acquired after ~~graduation~~ obtaining the qualifying education and be under the direct supervision of a licensed landscape architect.

C. Qualifying experience under the direct supervision of a licensed architect or licensed professional engineer shall receive full credit up to a maximum of one year when the work is related to landscape architecture.

D. Qualifying experience gained before graduation from one of the ~~landscape architectural education~~ curricula in ~~item A-Subp. 3~~ must be credited to satisfy part of the requirements for qualifying landscape architect experience under this item according to the following conditions:

- (1) experience must be under the direct supervision of a licensed landscape architect;
- (2) experience must be gained in increments of 90 days or more; and
- (3) experience must be credited at a rate of 50 percent.

This credit must not exceed one year of qualifying landscape architect experience.

Subp. 5. [Repealed, 35 SR 2011]

Commented [WK(28): And this is why NAAB and EAC-ABET degrees not requiring less experience than an art degree makes no sense.

Subp. 6. **Qualifying experience defined.** As used in this part, "qualifying experience" consists of varied, progressive, nonrepetitive, practical experience at landscape architectural work that develops the applicant's ability to apply the knowledge gained during academic training to make sound judgments in solving landscape architectural problems and prepares the applicant to assume responsible charge of the work involved in the practice of landscape architecture. The experience must include elements of ~~research, codes and standards, site and environmental analysis, landscape architectural programming, planning, economics, schematic design, design development documents, construction documents, specifications, project management, and observation of construction~~

(1) Project and Construction Management, which includes pre-project management, project management, bidding, construction, and maintenance;

(2) Inventory and Analysis, which includes site inventory, physical analysis, and contextual analysis;

(3) Design, which includes stakeholder process, master planning, and site design;

(4) Grading, Drainage, and Construction Documentation: includes site preparation plans, general plans and details, specialty plans, and specifications.

~~Experience must be written in detail, verified by the applicant's supervisor, and submitted with the application for licensure for evaluation.~~

Statutory Authority: *MS s 326.06; 326.10*

History: *L 1987 c 258 s 12; L 1989 c 246 s 2; 21 SR 1427; 29 SR 754; 35 SR 2011; 38 SR 59; 43 SR 89*

Published Electronically: *August 16, 2018*

1800.1600 [Repealed, 29 SR 754]

Published Electronically: *July 7, 2011*

1800.1700 WRITTEN EXAMINATIONS.

Subpart 1. **Landscape architect registration examination.** The Landscape Architect Registration Examination (LARE) shall be provided by the Council of Landscape Architectural Registration Boards (CLARB).

Subp. 2. **Equipment during examination.** Applicants shall only use equipment approved by CLARB during the Landscape Architect Registration Examination.

Statutory Authority: *MS s 326.06; 326.10*

History: *21 SR 1427; 29 SR 754; 35 SR 2011*

Published Electronically: *July 7, 2011*

1800.1750 PROCEDURES.

An applicant for initial licensure as a landscape architect shall submit to the board a completed application accompanied by payment of the application fee in Minnesota Statutes, section 326.105. The application must be made on a form provided by the board and must include a detailed listing

of all landscape architectural experience gained as provided in part 1800.1500. The list of experience must include the name and mailing address of the applicant's supervisor for each period of employment. The board shall provide the applicant an experience verification form that must be signed and submitted to the board by each supervisor for each period of employment during which qualifying landscape architectural experience was gained. The applicant shall submit an official transcript of grades showing the degree awarded and date of graduation. The application must include one signed copy of a statement that the applicant has read the Board Rules of Professional Conduct and a signed certification as described in part 1800.0400, subpart 5.

Commented [WK(29): We accept CLARB Record but that currently is not *detailed*. CLARB had indicated that they were working on adding a "detail" component.

Commented [WK(30): "direct supervisor of the applicant's qualifying experience"?

Question/intent: Whether a different phrasing is necessary to ensure properly "supervised" work can be credited, regardless of whether that "supervision" is performed by the applicant's true supervisor (vs team lead, etc).

Commented [WK(31): See first comment on page above.

Statutory Authority: *MS s 326.06*

History: *43 SR 89*

Published Electronically: *August 16, 2018*

1800.1800 [Repealed, L 2001 c 23 s 1]

Published Electronically: *July 7, 2011*

1800.1900 [Repealed, L 2001 c 23 s 1]

Published Electronically: *July 7, 2011*

1800.2000 [Repealed, 21 SR 1427]

Published Electronically: *July 7, 2011*

EXAMINATION OF CERTIFIED INTERIOR DESIGNER APPLICANTS

1800.2100 EDUCATION AND EXPERIENCE.

Subpart 1. **Written examination requirement.** An applicant for certification as a certified interior designer shall pass a written examination administered by the ~~Council for Interior Design Qualification (CIDQ)~~ except that a written examination is not required of an applicant certified under subpart 5. An applicant for certification under part 1800.0800, item H, must satisfy the Minnesota certification requirements in effect at the time of the applicant's original certification in the other state.

Subp. 2. **Education and experience requirement.** To qualify for certification as a certified interior designer, an applicant shall present evidence that the applicant has completed the education and experience requirements in items A and B.

A. ~~For purposes of this subpart, "equivalent education" means education that the board, after review of an applicant's transcript and other educational materials, finds to~~ Qualifying education must be substantially the same in terms of the curriculum composition and content of classes taken by the applicant that culminates in a minimum of a bachelor's degree in interior design accredited by the Council for Interior Design Accreditation (CIDA) or its predecessor, the Foundation for Interior Design Education Research (FIDER). The education requirement must be fulfilled by one of the following options as described:

(1) graduation from a four- or five-year professional-level interior design program resulting in a bachelor's or master's degree, which includes completion of 60 semester credits or 90 quarter credits of interior design course content from a program accredited by CIDA or its predecessor, FIDER, ~~or equivalent education;~~

(2) graduation prior to June 1, 2013, from a two-year preprofessional or paraprofessional program in interior design accredited by CIDA or its predecessor, FIDER, ~~or equivalent education;~~ or

Commented [WK(32): Board is making unspecified determination. That should be able to be codified as below (taken from CIDQ website).

(3) graduation prior to June 1, 2013, from a three-year professional level program in interior design accredited by CIDA or its predecessor, FIDER, ~~or equivalent education.~~ or

(4) graduation from an accredited institution of higher learning and 60 semester or 90 quarter credit hours of post secondary interior design coursework that encompasses a degree, certificate, or diploma from an accredited institution of higher learning; or

~~(5)~~ (5) for applicants with a foreign degree: an education evaluation accepted by CIDQ as meeting the minimum education requirements to sit for the NCIDQ exam. The applicant must include a verified copy of the evaluation report with the application to the board.

B. Experience must be under the direct supervision of a certified interior designer, NCIDQ certificate holder, licensed architect, or, for experience gained prior to June 1, 2013, an interior designer.

(1) If the applicant meets the educational requirements of item A, subitem (1), the experience required is completion of the Interior Design Experience Program (IDEP), as provided by CIDQ or its successor, or a minimum of two years of qualifying interior design experience.

(2) If the applicant meets the educational requirements of item A, subitem (2), the experience required is completion of a minimum of four years of qualifying interior design experience.

(3) If the applicant meets the educational requirements of item A, subitem (3), the experience required is completion of a minimum of three years of qualifying interior design experience.

C. Experience must be diversified in the practice of interior design for public spaces and include all ten of the following knowledge areas, documented as required by the board:

- (1) space planning;
- (2) building code research and analysis;
- (3) programming;
- (4) schematic design and design development;
- (5) preparation of construction documents;
- (6) cost estimating;
- (7) specification of building materials and finishes;
- (8) specification of furnishings, fixtures, and equipment;
- (9) bidding/negotiating procedures; and
- (10) construction administration.

Subp. 3. [Repealed, 35 SR 2011]

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Commented [WK(33)]: CIDQ information:
Eligibility for Candidates Outside of the U.S. and Canada

Candidates with an interior design education (degree, diploma or certificate) or Bachelor's degree (minimum) in architecture earned abroad may qualify for the NCIDQ Exam. These candidates must have their transcripts translated and evaluated by an education evaluator such as [World Education Services](#) or [Education Credential Evaluators](#) and may be eligible if the evaluation matches one of the eligibility paths. Submitted evaluations must include course titles with corresponding U.S. credit equivalency to ensure education meets CIDQ requirements of 60 semester credits of interior design coursework.

1800.2700 WRITTEN EXAMINATION.

Subpart 1. **Two-part examination.** The written examination shall be prepared and furnished by the ~~National Council of Examiners for Engineering and Surveying (NCEES)~~ and shall consist of two parts described in subparts 1a and 2.

Subp. 1a. **Fundamentals of Engineering (FE) examination.** Part I is the FE examination. The passing of this examination and providing proof of the degree awarded and date of graduation gives the applicant the status of engineer-in-training as defined in Minnesota Statutes, section 326.10, subdivision 7. A final official transcript showing the degree awarded and date of graduation shall be submitted to the board before the Engineer-in-Training number is released to the applicant. The applicant shall take and pass the FE examination before being permitted to take the professional examination unless exempted under part 1800.2800.

Subp. 2. **Principles and Practice of Engineering (PE) examination.** Part II is the PE examination. The applicant may take the PE examination upon meeting the requirements of part 1800.2500, subpart 2a, and after taking and passing the FE examination, unless the FE examination is waived under part 1800.2800. The PE examination, covering the principles and practice of engineering in the field of major practice, is required consistent with the examinations prepared and furnished by NCEES. A person failing the PE examination and electing to take the examination again shall take the entire examination.

Subp. 3. **Scope of examinations.** The scope of the Fundamentals of Engineering (FE) examination and the Principles and Practice of Engineering (PE) examination is as follows:

A. The FE examination consists of multiple-choice questions in mathematics, basic sciences, and engineering sciences as presented in accredited academic engineering curricula.

B. The PE examination consists of problems embracing knowledge of professional practice and applied economics as acquired in connection with the planning, design, and construction of engineering work during the required period of qualifying engineering experience.

Subp. 4. [Repealed, 21 SR 1427]

~~Subp. 5. **Equipment during examination.** The board shall advise the applicant at the time of approval for admission to the PE examination what equipment and materials will be permitted for use during the examination.~~

Commented [WK(34)]: MPS ELSGEO

Statutory Authority: *MS s 326.06*

History: 14 SR 2988; 21 SR 1427; 38 SR 59; 43 SR 1301

Published Electronically: May 13, 2019

1800.2800 ENGINEERS QUALIFIED BY GRADUATION, LONG EXPERIENCE, AND EXAMINATION.

The Fundamentals of Engineering (FE) examination must be waived in those cases where the applicant furnishes evidence of:

A. being at least 40 years of age, having a verified professional engineering record of 20 years or more of qualifying engineering experience and meeting one of the education requirements of part 1800.2500, subpart 2a;

B. holding membership in a British Institute of Engineering as a chartered engineer by examination or other national certification by examination as approved by the board; or

C. having a doctorate degree in engineering from an educational institution whose baccalaureate curriculum is accredited by EAC-ABET or whose education is equivalent thereto.

An applicant qualifying under item A, B, or C shall pass the Principles and Practice of Engineering (PE) examination. To qualify for waiver of the FE examination under item A, the applicant's engineering experience shall show responsible charge of engineering projects for at least ten years and advancement in the character of the work performed. Experience gained before reaching the age of 20 years shall not be credited as a part of the required engineering experience.

Statutory Authority: MS s 326.06

History: 14 SR 2988; 21 SR 1427; 38 SR 59; 44 SR 987

Published Electronically: March 20, 2020

1800.2805 QUALIFYING EXPERIENCE DEFINED.

Subpart 1. Qualifying experience; generally.

A. As used in this part and parts 1800.2500, 1800.2800, and 1800.2900, qualifying experience consists of diverse, progressive, practical experience performing engineering work that develops the applicant's ability to apply the knowledge gained during academic training to make sound judgments in solving engineering problems and prepares the applicant to assume responsible charge of the work involved in the practice of engineering.

B. The applicant must demonstrate that qualifying experience meets the following requirements:

(1) experience must include elements of design, planning, specifications, codes and standards, research and analysis, engineering economics, safety, and observation of construction projects or products;

(2) experience must be progressive by a demonstration that it was of increasing quality and required greater responsibility; and

(3) experience must include demonstration of knowledge of engineering mathematics, physical and applied science, properties of materials, the fundamental principles of engineering design, and the application of engineering principles in the practical solution of engineering problems.

C. Experience must be written in detail, verified by the applicant's supervisor, and submitted with the application for evaluation and approval by the board.

D. Experience must not be obtained in violation of Minnesota Statutes, chapter 326.

E. Experience must have been completed at the time of application.

Subp. 2. Qualifying experience; specific.

A. Experience gained in the armed services must be equivalent to that which would have been gained in the civilian sector doing similar work.

B. For sales experience, the applicant must demonstrate that engineering principles were required and used in gaining experience.

C. Teaching experience must be in engineering or engineering-related courses at an intermediate or advanced level in an EAC-ABET accredited degree program. Intermediate or advanced level coursework includes courses taken beyond the introductory level.

D. Experience gained in engineering research and design projects by members of an engineering faculty in an EAC-ABET accredited degree program is creditable.

E. Experience in construction must demonstrate the application of engineering principles.

Statutory Authority: *MS s 326.06*

History: *14 SR 2988; 38 SR 59; 43 SR 89; 44 SR 987*

Published Electronically: *March 20, 2020*

1800.2900 PROCEDURES.

Subpart 1. **Admission to Fundamentals of Engineering (FE) examination.** For admission to the FE examination, an applicant shall apply directly to the ~~National Council of Examiners for Engineering and Surveying (NCEES)~~ and follow the procedures outlined by NCEES.

Subp. 1a. Request for certification as an engineer-in-training. An applicant shall submit an application for certification as an engineer-in-training following passage of the FE examination as a Minnesota exam candidate and completion of the education requirement under part 1800.2500, subpart 2a. Payment of the application fee in Minnesota Statutes, section 326.105, must accompany the application. An official transcript of grades showing the degree awarded and date of graduation for all undergraduate and graduate degree programs and verification of passing the FE examination must be submitted before the applicant may be certified as an engineer-in-training.

Subp. 2. **Request for admission to Principles and Practice (PE) examination.** An applicant shall submit an application for admission to the PE examination under part 1800.2700, subpart 2, accompanied by payment of the application fee in Minnesota Statutes, section 326.105. The

Commented [WK(35)]: MSP: ELSGEO

application must be made on a form provided by the board. An official transcript of grades showing the degree awarded and date of graduation for all undergraduate and graduate degree programs must accompany the completed form, unless previously submitted. The application must include one signed copy of a statement that the applicant has read the Board Rules of Professional Conduct and a signed certification as described in part 1800.0400, subpart 5.

Subp. 2a. **Requirement for documentation of experience.** Before a license as a professional engineer may be issued, the applicant must provide the board with a detailed listing of qualifying engineering experience gained according to part 1800.2500, subpart 4. The experience listing must include the name and mailing address of the applicant's supervisor for each period of employment. The board shall provide the applicant an experience reference form that must be signed and submitted to the board by each supervisor for each period of employment during which the qualifying engineering experience was gained.

Subp. 3. [Repealed, 21 SR 1427]

Subp. 4. **Obtaining application material.** Application materials may be obtained from the board's website.

Subp. 5. **PE examination administration and application deadline.** An applicant may not sit for the PE examination until an application has been submitted, the board has determined that the applicant has met the qualifications to take the examination, and the applicant has been notified of the applicant's eligibility.

The PE examination shall be administered at a time and place determined by the examination delivery vendor to those applicants determined by the board to meet the requirements for admission to the examination.

The deadline for application for an examination that is administered on a specific date and time shall be 75 days prior to the date set for the examination. Applications and supporting documentation must be postmarked on or before the deadline to be considered on time.

For an examination that is administered on multiple dates and times within an examination window, an application may be submitted at any time.

The board, if necessary, shall forward notification of the applicant's eligibility to the examination delivery vendor. Following the board's determination that an applicant is eligible to sit for an examination, the applicant shall independently contact the examination delivery vendor to schedule the time and place for the examination at an approved test site.

The board or examination delivery vendor shall report to the applicant the results of each examination. In order to pass the examination, the applicant shall attain the uniform passing grade established by the board through a psychometrically acceptable standard-setting procedure.

Subp. 6. **Examination windows.** The examination windows and the frequency in which an applicant may take the examination are determined by the applicable national testing agency.

Subp. 7. Validity of application.

A. An applicant may take one examination for each application approved by the board.

B. An applicant approved by the board for an examination administered on a specific date who fails to register, cancels, or fails to appear for the examination must submit a new application in order to take the examination on another date.

C. An applicant approved by the board for an examination administered continuously throughout the year, who does not take the examination within three years of the date of the application, must submit a new application in order to take the examination.

D. If an applicant fails an examination, the applicant must submit a new application in order to take the examination on another date.

E. An applicant who passes the PE examination and does not provide the board with a detailed listing of qualifying engineering experience within three years of the date of the application for examination must submit a new application in order to obtain a license as a professional engineer.

E.F. An applicant who passes the FE examination after applying to the board to sit and who does not provide the board with evidence of meeting the education requirements in 1800.2500 Subp. 2a within six months of the examination date must submit an engineer-in-training application in order to obtain an engineer-in-training certificate.

Commented [WK(36)]: This is slightly modified from what the Section approved to make sure it is clear we are talking about only those FE examinees who applied to the Board vs direct (so we don't create yet a different hole.

Statutory Authority: *MS s 326.06*

History: 14 SR 2988; 21 SR 1427; 22 SR 90; 33 SR 2041; 38 SR 59; 43 SR 89; 43 SR 1301; 44 SR 987

Published Electronically: *March 20, 2020*

1800.3000 [Repealed, 14 SR 2988]

Published Electronically: *July 7, 2011*

1800.3500 [Repealed, 27 SR 584]

Published Electronically: *July 7, 2011*

EXAMINATION OF LAND SURVEYOR APPLICANTS**1800.3505 EDUCATION AND EXPERIENCE.**

Subpart 1. **Examination requirements.** An applicant for licensure as a land surveyor is required to pass written examinations as provided in this part and parts 1800.3600 to 1800.3750. An applicant for licensure under part 1800.0800, item G, shall satisfy the Minnesota licensing requirements that were in effect at the time of the applicant's original licensure in the other state.

Subp. 2. **Admission to the Fundamentals of Surveying (FS) examination.** To qualify for admission to the FS examination, applicants shall present satisfactory evidence of one of the following:

A. graduation from a four-year land surveying curriculum as specified in subpart 4 from an accredited institution of higher learning or being within 32 semester credits or 48 quarter credits of graduation from the same; or

B. graduation with a bachelor's degree from an accredited institution of higher learning or being within 32 semester credits or 48 quarter credits of obtaining a bachelor's degree, and completion

of a minimum of 11 semester credits or 16 quarter credits from the land surveying categories specified in subpart 4, items A to K.

An applicant holding a degree from a foreign college or university must have their degree evaluated for equivalency by NCEES Credentials Evaluations and submit the evaluation with the application.

Subp. 3. **Admission to Principles and Practice of Surveying (PS) examination.** To qualify for admission to the PS examination, the applicant shall present evidence of meeting the education and qualifying experience requirements in item A or B.

A. Graduates of a four-year land surveying curriculum must present evidence of:

- (1) graduation from a four-year land surveying curriculum;
- (2) passage of the Fundamentals of Surveying (FS) examination; and
- (3) completion of a minimum of the following qualifying land surveying experience:

(a) a minimum of 160 hours of office experience in plat computations;

(b) a minimum of 160 hours of field experience in each of four or more of the following: section subdivision, boundary surveys, land title surveys, government corner restoration, geodetic surveys, staking subdivisions, and common interest communities totaling 3,120 hours or more;

(c) a minimum of 160 hours of office experience in each of four or more of the following: record research, record analysis, survey computations, description analysis, description writing, and subdivision design totaling 1,920 hours or more;

(d) a minimum of 400 hours of field or office experience in one or a combination of the following: right-of-way surveys; easement surveys; mining surveys; route location surveys, including power, pipelines, etc.; and street grade design and alignment; and

(e) a minimum of 400 hours of drafting experience in one or a combination of the following: boundary survey, topographic survey, and plats.

B. Graduates of a bachelor's curriculum must present evidence of:

(1) graduation from a bachelor's curriculum with a minimum of 22 semester credits or 32 quarter credits in land surveying as specified in subpart 4;

(2) passage of the Fundamentals of Surveying (FS) examination; and

(3) completion of a minimum of the following qualifying land surveying experience:

(a) a minimum of 160 hours of office experience in plat computations;

(b) a minimum of 160 hours of field experience in each of four or more of the following: section subdivision, boundary surveys, land title surveys, government corner restoration, geodetic surveys, staking subdivisions, and common interest communities totaling 4,990 hours or more;

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1800.3700 EXAMINATIONS.

Subp. 3. **MNLS Reference materials.** The board shall advise the applicant, at the time of approval for admission to the MNLS~~an~~ examination, what equipment and materials will be permitted for use during the examination.

Commented [WK(37): MSP: ELSGEO

Published Electronically: *October 22, 2015*

EXAMINATION OF GEOSCIENTIST APPLICANTS

1800.3900 GEOSCIENCE DISCIPLINES.

Geoscience, as defined in Minnesota Statutes, section 326.02, subdivision 3a, includes a number of disciplines. The geoscience disciplines currently recognized by the board are geology and soil science.

Statutory Authority: *MS s 326.06*

History: *22 SR 90*

Published Electronically: *July 7, 2011*

1800.3905 [Repealed, 38 SR 59]

Published Electronically: *July 22, 2013*

1800.3910 EDUCATION AND EXPERIENCE.

Subpart 1. **Written examination requirement.** An applicant for licensure within a geoscience discipline shall pass written examinations as provided in part 1800.3920.

An applicant for licensure under part 1800.0800, item I, whose original licensure in the other state was granted after August 4, 1997, shall satisfy the Minnesota licensing requirements that were in effect at the time of the applicant's original licensure in the other state. An applicant for licensure under part 1800.0800, item I, whose original licensure in the other state was granted before August 4, 1997, shall satisfy the Minnesota licensing requirements that were in effect on August 4, 1997.

The written Fundamentals of Geology (FG) examination or Fundamentals of Soil Science (FSS) examination must be waived by the board if the applicant requests a waiver and furnishes evidence of the following:

A. having a doctorate degree in the geoscience discipline for which the applicant is seeking licensure or equivalent doctorate degree as determined by the board; and

B. meeting the education requirements specified in subpart 5.

Subp. 2. **Admission to written fundamentals examination.** To qualify for admission to the written fundamentals examination for a geoscience discipline, the applicant shall present evidence of the following:

A. graduation from a geoscience curriculum approved by the board, as specified in subpart 5, in the geoscience discipline for which the applicant is seeking licensure;

B. enrollment in a geoscience curriculum approved by the board, as specified in subpart 5, and:

(1) for geology, completion of 20 semester or 30 quarter credits in geology, as specified in subpart 5; or

(2) for soil science, completion of 12 semester or 18 quarter credits in soil science and ten semester or 16 quarter credits in closely related geoscience or environmental science areas, as specified in subpart 5; or

C. graduation from a non-board-approved curriculum with a minimum number of equivalent credits in geoscience as specified in subpart 5.

Subp. 3. **Admission to written professional examination.** To qualify for admission to the written professional examination for a geoscience discipline, the applicant shall present evidence of meeting the education and qualifying experience requirements in items A and B.

A. Education:

(1) graduation from a geoscience curriculum approved by the board, as specified in subpart 5, in the geoscience discipline for which the applicant is seeking licensure; or

(2) graduation from a non-board-approved curriculum with a minimum number of equivalent credits in geoscience as specified in subpart 5.

~~(2)~~(3) An applicant holding a degree from a foreign college or university must be granted credit toward the requirements of this subpart on the same basis as a graduate of a United States college or university if the board determines that the educational requirements for the degree are equivalent to the requirements of this subpart. The applicant shall obtain a subject analysis report from Educational Credential Evaluators (ECE) to submit to the board with the application for examination.

B. Qualifying experience:

(1) completion of a minimum of four years of qualifying experience in the geoscience discipline for which the applicant is seeking licensure if the applicant meets the education requirements of item A, subitem (1); or

(2) completion of a minimum of five years of qualifying experience in the geoscience discipline for which the applicant is seeking licensure if the applicant meets the education requirements of item A, subitem (2).

C. Qualifying geoscience experience gained before completion of one of the education requirements in item A must meet the following conditions:

(1) experience must be credited at a rate of 50 percent; and

(2) no credit for experience gained before completing:

(a) for geology, 20 semester or 30 quarter credits in geology, as specified in subpart 5, item A, subitem (2); or

charge of the work involved in the practice of the geoscience discipline in which the applicant is seeking licensure.

B. The experience must include elements of research and analysis, planning, specifications, codes and standards, economics, safety, observation of ongoing work, and inspection of the project.

C. Experience must be written in detail, verified by the applicant's supervisor, and submitted with the application for evaluation and approval by the board.

D. Qualifying experience must be acquired after graduation from a baccalaureate or higher degree curriculum that meets the requirements in subpart 5, except that continuous experience in periods of ten or more weeks gained before graduation shall be counted if gained as specified in subpart 3, item C.

Subp. 7. [Repealed, 38 SR 59]

Statutory Authority: *MS s 326.06*

History: *22 SR 90; 38 SR 59; 43 SR 89; 44 SR 987*

Published Electronically: *March 20, 2020*

1800.3915 [Repealed, 38 SR 59]

Published Electronically: *July 22, 2013*

1800.3920 WRITTEN EXAMINATION.

Subpart 1. **Two-part examination.** The written examination consists of the two parts as described in subparts 2 and 3. The written examinations for geologists shall be the examinations as provided by ~~the National Association of State Boards of Geologists (ASBOG)~~ as described in subpart 4, item A. The written examinations for soil scientists shall be the examinations provided by the ~~Council of Soil Science Examiners (CSSE)~~ as described in subpart 4, item B.

Subp. 2. **Fundamentals examination.** The fundamentals examination for a geoscience discipline may be taken upon meeting the requirements in part 1800.3910, subpart 2. An applicant taking the fundamentals examination in a geoscience discipline shall be notified of the score in writing. An applicant failing this examination and electing to take the examination again shall take the entire examination. A description of the scope of the fundamentals examinations for each geoscience discipline is provided in subpart 4.

A final official transcript showing the degree awarded and date of graduation shall be submitted to the board before the in-training number is released to the applicant. The passing of this examination and providing proof of the degree awarded and date of graduation gives the applicant the in-training status as defined in Minnesota Statutes, section 326.10, subdivision 7, paragraph (3). The applicant shall take and pass the fundamentals examination in the geoscience discipline for which the applicant is seeking licensure before being permitted to take the professional examination.

Subp. 3. **Professional examination.** An applicant shall be admitted to the professional examination for the geoscience discipline in which the applicant is seeking licensure, if, by the date of the examination, the applicant has received confirmation of passing the fundamentals examination

(2) The Professional Practices in Soil Science (PSS) examination shall be administered at a time and place designated by the board to those applicants determined by the board to meet the requirements of part 1800.3910, subpart 3, for admission to the examination.

The PSS examination covers the principles and practice of soil science. The examination shall include questions embracing the knowledge of professional practice and applied soil science as acquired in connection with research, planning, and completion of soil science work during the required period of soil science experience. The PSS examination is given to determine the degree of proficiency of the applicant in professional practice. This examination shall include questions designed to test whether the applicant has learned to apply the knowledge and understanding of the basic and geoscientific sciences gained through education, training, and experience to the solutions of soil science problems.

Subp. 5. **Equipment during examination.** ~~The board shall advise the applicant at the time of approval for admission to the examination what equipment and materials will be permitted for use during the examination.~~ Applicants shall only use equipment approved by ASBOG for the FG and PG examinations and CSSE for the FSS and PSS examinations.

Statutory Authority: *MS s 326.06*

History: *22 SR 90; 38 SR 59; 44 SR 987*

Published Electronically: *March 20, 2020*

1800.3930 PROCEDURES.

Subpart 1. **Request for admission to the fundamentals examination.**

A. Admission to Fundamentals of Soil Sciences (FSS) examination. For admission to the FSS examination, an applicant shall apply directly to the CSSE and follow the procedures outlined by CSSE.

B. Request for certification as a soil scientist-in-training. An applicant shall submit an application for certification as a soil scientist-in-training following passage of the FSS examination as a Minnesota exam candidate and completion of the education requirement under part 1800.3910, Subpart 5(B). Payment of the application fee in Minnesota Statutes, section 326.105, must accompany the application. An official transcript of grades showing the degree awarded and date of graduation for all undergraduate and graduate degree programs and verification of passing the FSS examination must be submitted before the applicant may be certified as a soil scientist-in-training.

C. A. Admission to Fundamentals of Geology (FG) examination. An applicant shall submit an application for admission to the ~~fundamentals~~ FG examination ~~in the geoscience discipline in which the applicant is seeking licensure~~ as described in part 1800.3920, subpart 2. The application must be postmarked not later than 60 days prior to the date set for the ~~fundamentals~~ FG examination and accompanied by payment of the fee in Minnesota Statutes, section 326.105. For applicants who have not yet graduated, an unofficial transcript of grades from all institutions attended showing the applicant's name, the name of the college or university, and the number of credits completed must accompany the application. An official transcript of grades showing the degree awarded and date of graduation for all undergraduate and graduate degree programs must be submitted before the applicant may be certified as a geologist-in-training ~~or soil scientist in~~

Commented [WK(38): All,
MSP: ELSGEO

~~training~~. For applicants who have graduated, an official transcript of grades showing the degree awarded and date of graduation must accompany the application.

Subp. 2. **Request for admission to professional examination.** An applicant shall submit an application for admission to the professional geoscience examination in the geoscience discipline in which the applicant is seeking licensure as explained in part 1800.3920, subpart 3. The application must be ~~postmarked not later than 60 days prior to the date set for the professional examination~~ and accompanied by payment of the fee in Minnesota Statutes, section 326.105. The application must be made on a form provided by the board and must include a detailed listing of geoscience experience gained. The experience listing must include the name and current mailing address of the applicant's direct supervisor for each period of employment. The board shall provide the applicant an experience reference form that must be signed and submitted to the board by each supervisor for each period of employment during which qualifying geoscience experience was gained. An

official transcript of grades showing the degree awarded and date of graduation for all undergraduate and graduate degree programs must be submitted directly to the board by the educational institution, unless previously submitted. The application must include one signed copy of a statement that the applicant has read the Board Rules of Professional Conduct and a signed certification as described in part 1800.0400, subpart 5.

Subp. 3. Professional examination administration and application deadline. An applicant may not sit for the professional examination until an application has been submitted, the board has determined that the applicant has met the qualifications to take the examination, and the applicant has been notified of the applicant's eligibility.

The professional examination shall be administered at a time and place determined by the examination delivery vendor to those applicants determined by the board to meet the requirements for admission to the examination.

The deadline for application for an examination that is administered on a specific date and time shall be 60 days prior to the date set for the examination. Applications and supporting documentation must be postmarked on or before the deadline to be considered on time.

For an examination that is administered on multiple dates and times within an examination window, an application may be submitted at any time.

The board, if necessary, shall forward notification of the applicant's eligibility to the examination delivery vendor. Following the board's determination that an applicant is eligible to sit for an examination, the applicant shall independently contact the examination delivery vendor to schedule the time and place for the examination at an approved test site.

The board or examination delivery vendor shall report to the applicant the results of each examination. In order to pass the examination, the applicant shall attain the uniform passing grade established by the board through a psychometrically acceptable standard-setting procedure.

Subp. 4. Examination windows. The examination windows and the frequency in which an applicant may take the examination are determined by the applicable national testing agency.

Subp. 3. Validity of application.

A. An applicant may take one examination for each application approved by the board.

~~B. An applicant who fails the examination, cancels, or fails to appear for the examination must submit a new application with the appropriate fee in order to take the examination on another date.~~ An applicant approved by the board for an examination administered on a specific date who fails to register, cancels, or fails to appear for the examination must submit a new application in order to take the examination on another date.

C. An applicant approved by the board for an examination administered continuously throughout the year, who does not take the examination within three years of the date of the application, must submit a new application in order to take the examination.

D. D. If an applicant fails an examination, the applicant must submit a new application in order to take the examination on another date.

~~B.~~

Statutory Authority: *MS s 326.06*

History: *22 SR 90; 38 SR 59; 43 SR 89*

Published Electronically: *August 16, 2018*

CERTIFICATES

1800.4000 CERTIFICATES OF ~~RECORD~~ IN-

TRAINING CLASSIFICATION.

The board shall issue to each applicant who successfully completes the fundamentals of engineering examination, fundamentals of land surveying examination, fundamentals of geology examination, or fundamentals of soil science examination as a Minnesota exam candidate, a certificate indicating that the ~~applicant's name has been recorded~~ applicant has been classified as engineer-in-training, land surveyor-in-training, geologist-in-training, or soil scientist-in-training ~~by, in the office of~~ the board. The certificates of ~~record~~ classification as engineer-in-training, land surveyor-in-training, geologist-in-training, or soil scientist-in-training are permanent, subject only to discipline for cause in the manner provided by law or rule.

Statutory Authority: *MS s 326.06*

History: *21 SR 1427; 22 SR 90*

Published Electronically: *July 7, 2011*

1800.4100 CERTIFICATE OF LICENSURE OR CERTIFICATION.

Subpart 1. **Licensure as professional engineer.** The board shall issue to each applicant who has successfully completed the education, examination, and experience requirements in part 1800.2500 a certificate of licensure giving the licensee authority to practice engineering as defined by Minnesota Statutes, section 326.02, subdivision 3. This certificate shall be in effect for a period ending June 30 of the even-numbered year of the biennium in which the certificate is issued, after which date the certificate will expire unless renewed. Applicants who are licensed by comity from other states, having met the Minnesota licensure requirements, shall be issued certificates of licensure in the same manner as provided in this part.

Subp. 2. **Licensure as land surveyor.** The board shall issue to each applicant who has successfully completed the education, examination, and experience requirements in part 1800.3505

Citation	Language	Issue	Proposed Solution or "Language"
		"Certificate" means 6 distinct things in rule: 1. CID certificate holder ("Certificate holder" defined in 1800.0050 and is sometimes used; but other times we just say "certificate" when we may--or may not--specifically mean "CID certificate.") 2. in-training certification -- nationally also describe as an “in-training certificate,” so no getting around the term (1800.0400, subp 3); sometimes called "certificate" in rule or "certificate of record" (but that also used differently--see 4 below). See 1800.0140; 1800.4000. 3. a wall certificate mailed to new licensees (1800.0500, subp 7B), 4. something from a national council indicating certain exam and/or experience and/or education requirements were met (1800.0600), 5. a "certificate of licensure or certification" as in 1800.4100; and 6. a statement regarding compliance with statutes and rules (see 1800.0400, subp 5). The problem is the meaning of the word in some contexts is not as distinct as would be prudent or just plain clear. It will mean one thing in one subpart and another in the next or even between items in a subpart, with unclarity between item #1 and #2 being the most problematic.	· Always note "excluding in-training certificates" if by "certificate" we actually mean only "CID certificate", as done in MN Statute 326.106, Subd. 8. · Change 1800.4000 to "Certificates of In-Training Classification" and replace the word "record" in that section with "classification" --and hope between those two changes, that clears up most sections. As statute does use "certificate" when talking about "in training," it doesn't look like we can excise it from rule in any logical way.
Throughout	Throughout		
1800.0050, Subp2 https://www.revisor.mn.gov/rules/1800/full#rule.1800.0050.2	Subp. 2. Applicant. "Applicant" means a person applying to take the Architect Registration Examination, Fundamentals of Engineering Examination, Principles and Practice of Engineering Examination, Fundamentals of Surveying Examination, Principles and Practice of Surveying Examination, Minnesota Local Land Surveying Examination, Fundamentals of Geology Examination, Practice of Geology Examination, Fundamentals of Soil Science Examination, or Professional Practice of Soil Science Examination or a person applying for licensure as an architect, professional engineer, land surveyor, landscape architect, professional geologist, professional soil scientist, or a person applying for certification as a certified interior designer. Applicant also means a candidate and persons who have passed their respective professional examination but have not yet received their license or certificate in Minnesota.	· EIT certificate applicant not listed (nor would SSIT be; if goes direct reg, unless we add) · ARE does not apply directly to us anymore (LARE and CIDQ exam already not listed) · Legal opinion requested: Can reinstatements be presumed to fall under "applying for licensure"? Consider definition in light of how it is <i>applied throughout rule</i>. This draws LARE and CIDQ examinees back into being considered an "applicant" even though they have not applied to us yet. Is this what was intended? Or did we want to cover people that we have approved for licensure but who have not paid fee/actually received license?	" "Applicant" means a person applying [directly?] to the Board to sit for an examination; receive an in-training classification; request licensure; request certification as a certified interior designer; renew a license; renew a certificate as a certified interior designer; or request reinstatement. [not in definition: request continuing education exemption; request variance]. Applicant also means a person who has been approved for licensure or certificate holder status but [has not paid the licensure fee in Minnesota Statute 326.105 and] has not yet received their license or certificate in Minnesota. "

1800.0100 https://www.revisor.mn.gov/rules/1800.0100/	1800.0100 COOPERATION IN COMMUNICATIONS. An applicant, licensee, or certificate holder shall respond to communications from the board, committees of the board, or the assistant attorney general on behalf of the board within 30 days of the mailing of communications, unless an earlier response is specified. An applicant, licensee, or certificate holder shall appear before the board, committees of the board, or the attorney general when requested to do so and provide copies of all pertinent records, including handwriting samples, to assist the board in its investigations. An applicant, licensee, or certificate holder shall sign an authorization letter giving the board access to information relating to a board investigation that is held by any federal, state, or other local government agency or professional organization, the subject matter of which pertains to conduct described in Minnesota Statutes, sections 326.02 to 326.15, when requested to do so by the board or by the attorney general.	In light of the definition of "applicant," 1800.0100: · Is applicable to ARE examinees (and, as noted above, by virtue of final sentence LARE and CIDQ examinees), but we don't know who they are, until they come to us (often years later) to apply for licensure. We have no way to contact them, unless we gather/record/retain that information--negates direct registration; is essentially administratively impossible. · Is applicable to FE applicant, but again we generally do not have that information (only those who applied to the Board vs register direct with NCCES). Does Complaint Committee want/need authority in 1800.0100 for exam candidate (exam breach example)? And can we actually claim authority/jursidiction without raising other issues <i>at this pre- (no Board) application point</i> ? · Is not applicable to EIT certificate applicant? Is it intentional that an EIT certificate applicant does not have to cooperate? · Is not applicable to someone who holds "in training" designation/certificate who hasn't yet applied for another exam or for licensure, unless having once been an applicant and having received in-training classification (so, no longer has an "open" application) can be considered a "perpetual state of being an applicant" (which, in some ways--such as the fact that we must retain their in-training records in perpetuity -it is)? “Applicants” are required to (1800.0100) cooperate in communications (so, examinees applicants and licensee applicants); however, only licensee applicants are required to “appear before the board” (1800.0110). Is that intentional? Clean up definition of "applicant" and removed parts redundant to 1800.0150.
1800.0110 https://www.revisor.mn.gov/rules/1800.0110/	1800.0110 APPEARANCE BEFORE BOARD. For purposes of assisting the board in determining the person's qualifications or compliance with Minnesota Statutes or Minnesota Rules, and at the request of the board, a committee of the board, or the attorney general on behalf of the board, a holder or applicant of a certificate or license issued by the board shall: A. appear and provide sworn testimony before the board, a committee of the board, or the attorney general; B. respond to any questions of the board, a committee of the board, or the attorney general; and C. produce any evidence requested by the board, a committee of the board, or the attorney general. Nothing in this part limits the board from requiring appearance before the board under any applicable statute or rule.	· 1800.0100 overlaps with 1800.0110 regarding the need to appear, but who must appear is different. · "...applicant of a certificate or license" - · Unlike 1800.0100, 1800.0110 excludes exam applicants. Is this intentional? · Fundamentals applicants are not license applicants--but are PE exam applicants? MNLS-only applicants? PS-only applicants? · does "certificate" in this instance only mean CID? If yes, is it intentional that we can't have an "in-training" required to appear before the Board? Clean up definition of "applicant."

1800.0120, Subpart 1(A) https://www.revisor.mn.gov/rules/1800.0120/	1800.0120 NOTIFICATION. Subpart 1. Required information. A.Each applicant, licensee, or certificate holder shall provide the board a current street address and telephone number. A post office box address is not sufficient to satisfy this requirement. Each applicant, licensee, or certificate holder must notify the board in writing of any change in address within 30 days of the change.	"Applicant" is a defined term. Therefore, this does not apply to EIT applicants. However, ARE, LARE, and CIDQ applicants and FE exam applicants who register direct with NCEES (people that we have never heard from--no idea who they are), are supposed to advise us of address changes within 30 days of any change. And the Board then has to comply with records retention policies on same. Confusing and burdensome (and <i>to what purpose</i> is question) for these "applicants." Is there an enforcement need for the information?	Clean up definition of "applicant."
1800.0120, Subpart 1(B)	B.Each applicant, licensee, or certificate holder shall provide the board with a legal name change document within 30 days of any change in name.	Same issue as above.	Clean up definition of "applicant."
1800.0120, Subpart 1(C) ALSO MN Statute 362.111 Subd. 4 (4) https://www.revisor.mn.gov/statutes/cite/326/full#stat.326.111.4	C.Each applicant, licensee, or certificate holder must notify the board in writing within ten days if the applicant, licensee, or certificate holder has been convicted of or has pled guilty or nolo contendere to a felony, an element of which is dishonesty or fraud, whether or not the person admits guilt. --- (4) has been convicted of or has pled guilty or nolo contendere to a felony, an element of which is dishonesty or fraud, whether or not the person admits guilt, or has been shown to have engaged in acts or practices tending to show that the applicant or licensee is incompetent or has engaged in conduct reflecting adversely on the person's ability or fitness to engage in the practice of architecture, engineering, land surveying, landscape architecture, geoscience, or use of the title certified interior designer;	Same issue as above, but there is similar statutory language. However, "applicant" is not defined in statute; only in rule.	Clean up definition of "applicant."
1800.0120, Subpart 1(D) ALSO MN Statute 362.111 Subd. 4 (6) https://www.revisor.mn.gov/statutes/cite/326/full#stat.326.111.4	D.Each applicant, licensee, or certificate holder must notify the board in writing within 60 days if the applicant, licensee, or certificate holder has had an architecture, engineering, land surveying, landscape architecture, geoscience license, or interior design certificate, right to exam, or other similar authority revoked, suspended, canceled, limited, or not renewed for cause in any state, commonwealth, or territory of the United States, in the District of Columbia, or in any foreign country. _____ (6) has had the person's architecture, engineering, land surveying, landscape architecture, geoscience, or interior design license, certificate, right to examine, or other similar authority revoked, suspended, canceled, limited, or not renewed for cause in any state, commonwealth, or territory of the United States, in the District of Columbia, or in any foreign country;	Same issue as above, but there is similar statutory language. However, "applicant" is not defined in statute; only in rule.	Clean up definition of "applicant."

1800.0400 Subp. 5 https://www.revisor.mn.gov/rules/1800/full#rule.1800.0400.5	Subp. 5. Certification. An applicant for examination, licensure, certification, or reinstatement shall submit to the board, on a form provided by the board, a certification affirming that the applicant: A. has read and will comply with Minnesota Statutes, sections 326.02 to 326.15, and any rule adopted thereunder; B. is not under any disciplinary proceeding or action in any other jurisdiction; C. has never been convicted of a felony; D. has not represented himself or herself as an architect, professional engineer, land surveyor, landscape architect, professional geologist, professional soil scientist, or certified interior designer, without proper licensure or certification, either verbally or on any printed matter, in the state; E. will not represent himself or herself as an architect, professional engineer, land surveyor, landscape architect, professional geologist, professional soil scientist, or certified interior designer, without proper licensure or certification, either verbally or on any printed matter, in the state until the applicant's license or certificate has been issued or reinstated by the board; F. <i>has not performed or offered to perform architectural, professional engineering, land surveying, landscape architectural, professional geological, professional soil scientific, or certified interior design services, without proper licensure or certification in the state; and</i> G. <i>will not perform or offer to perform architectural, professional engineering, land surveying, landscape architectural, professional geological, professional soil scientific, or certified interior design services, without proper licensure or certification in the state until the applicant's license or certificate has been issued or reinstated by the board.</i> Applicants who are unable to affirm any part of the certification under this subpart must indicate which statement or statements cannot be affirmed and include an explanation for board review with the application for examination, licensure, certification, or reinstatement.	erred on side of caution and are requiring it on EIT certificate app. That said, under current definition of "applicant" for examination, and context here, this would also apply to an ARE, CIDQ, or LARE applicant FOR EXAMINATION. Also, under current definition and as described here, should apply to direct-with-NCEES registrants of the FE exam (we <i>do</i> require it of those who must apply first to us for FE; no ambiguity/impossibility as to this subpart on that point). Legal definition of "affirmation" says in person and requires a witness (like an oath). As long as we don't require anyone to "make an affirmation," can we still have them "affirm"--in the generally understood definition of the term--here? While Subp 5 is not directly related to the above issue of the term "applicant" I'm including it in this review for the following reasons: #1) The addition of this entire subpart was to assist with enforcement (presents on applications is evidentiary), so this committee in particular has a strong stake in what language is in it. #2) Subp 5 serves as an example of the issues with the current definition of "applicant." I suggest any proposed changes to the definition of "applicant" be "test run" against this section. #3) Subp 5 serves as an example of the issue with how "certificate" and "certification" sometimes have two or even three meanings <i>within a single subpart</i>, and so feedback here can also help me elsewhere. D and E are fine; F and G: There are no services that a CID provides that no one else can; its a title act. Also, the language is awkward.	" F. has not peformed or offered to perform any services reserved in statute to those properly licensed as an architect, professional engineer, land surveyor, landscape architect, professional geologist, or professional soil scientist in the state; and G. will not perform or offer to perform "
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MINNESOTA BOARD OF
ARCHITECTURE ■ ENGINEERING ■ LAND SURVEYING
LANDSCAPE ARCHITECTURE ■ GEOSCIENCE ■ INTERIOR DESIGN

BOARD MEMORANDUM

MAY 12, 2022

TO: EXECUTIVE COMMITTEE
Paul Vogel, LS, Chair
Keith Rapp, PG, Vice Chair
Dan Kelsey, PE, Secretary
Melisa Rodriguez, PE, Treasurer

FROM: Paul Vogel, LS, Board Chair

SUBJECT: MAY 12, 2022 EXECUTIVE COMMITTEE MEETING MINUTES
81 7th Street, Suite 100
1:25 PM

1) CALL TO ORDER – ROLL CALL

OTHERS:

Doreen Johnson, Executive Director

GUESTS: None

2) APPROVAL of the JANUARY 26, 2022 EXECUTIVE COMMITTEE MEETING MINUTES
MSP: To approve the JANUARY 26, 2022 Executive Committee Meeting Minutes

3) UNFINISHED BUSINESS

A) Internal Controls (D. Johnson reporting) – An extensive audit of the Board going back ten years has recently been completed; the Board is still in compliance with all state laws.

4) NEW BUSINESS

A) Schedules of committees

B) Committee assignments – Discussed; P. Vogel will contact proposed chairs.

- 5) ADJOURN
MSP to adjourn

Next meeting: July 12, 2022