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# The Board's Bulletin

**A Quarterly Publication for Licensees of the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors**

## Collusion Analysis Bolsters Defense Against Exam Fraud

by **Bob Whorton, P.E., NCEES Compliance and Security Manager**  
 Reprinted with permission from the National Council of Examiners for Engineering and Surveying's "Licensure EXCHANGE", August 2006

People who gain licenses through dishonest means weaken the licensure system and put the public at risk of receiving substandard service. NCEES exams exist to protect the public from unqualified engineers and surveyors, but the exams are only as effective as they are accurate in determining who should be licensed. When examinees receive unearned scores on licensure exams, they affect the validity of the exams as measurement tools.

The Council's new collusion analysis system is guarding against these possibilities by enhancing exam security, preventing examinees from obtaining undeserved scores, and creating a general deterrent to copying.

### What is a collusion analysis?

The collusion analysis is a result of a 2001 charge to the Committee on Examinations for Professional Engineers (EPE). The committee studied the effects of random guessing on the FE exam institution report data. Bill Dickerson, P.E., who has served on the EPE Committee for eight years, developed software to determine the number of potential random guessers. *[Mr. Dickerson is an Emeritus Member of the Oklahoma Board and has served as the Board's Principal Assistant since 1990.]* Further analysis indicated that other examinees were not making an honest effort to pass the exams.

After the October 2005 exam administration, the Council purchased a license from an educational resource development company to use a program that detects collusion in multiple-choice examinations. Released in February 2005, the program uses five separate methods to discover collusion.

While the program is relatively new, the methods it employs are not. Academic researchers have published the methods in peer-reviewed literature, and the methods have all been used for more than 15 years.

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# The A/E Interchange

*A joint communication by the Board of Governors of Licensed Architects and Landscape Architects and Board of Licensure for Professional Engineers and Land Surveyors to keep you informed of current happenings important to your professions.*

by: Jean Williams, Executive Director - Board of Architects

There has been a great deal of activity going on at the Board of Architects, Landscape Architects and Interior Designers. The Oklahoma State Architectural and Interior Designers Act went in to effect as of July 1, 2006. This law was created from SB 1991 and HB 2379, adding registration for Interior Designers and their firms beginning July 1, 2007. Additionally, changes that relate to building types requiring an Architect have been made. There seems to be some confusion and all sorts of interpretations as to what buildings are requiring an architect and what buildings are exempt. Therefore, we have received an official Attorney General's Opinion to clarify the matter for us and the public. We have posted this opinion on our website [www.ok.gov/architects](http://www.ok.gov/architects). Follow the links to IMPORTANT NEWS and then NEWS ITEMS. Be sure to select the Attorney General Opinion Letter dated November 21, 2006. It is important to note that the AG opinion take precedent over all other opinions and will have the same effect as law unless overturned by a court of law.

To keep things rolling, we have been busy writing the Rules to implement the Act. The Board formally adopted these rules on February 2, 2007 and is awaiting Gubernatorial and Legislative approval. These proposed rules are on our website and can be found by following the ACT & RULES link. We are hoping to have this all in place prior to the upcoming renewals and are shooting for mid April. We will have more information posted on the website for individuals and firms interested in applying for Interior Design registration. Ideally, we would like to have this paper work in place in order for registrations to begin effect July 1<sup>st</sup>. As a reminder, it's important to note that all Architect and Landscape Architect licenses renew this year prior to June 30<sup>th</sup>. With notices being mailed out around May 1<sup>st</sup>, we could use your help! Please fax address changes directly to the board office @ (405) 949-1690 in order to ensure your renewal notice arrives to you on time.

Finally, we would like to welcome the latest Governor appointees: Architects, Jim Hasenbeck of Oklahoma City, Tim Wynn of McAlester and Interior Designer, Martina Gangel of Tulsa. It is a pleasure to have them on board as we continue to protect the State of Oklahoma by regulating the professions of Architecture and Landscape Architecture while ensuring registration of Interior Designers.

## Board Meetings 2007

January 18-19  
March 1-2  
May 24-25  
July 12-13  
September 6-7  
November 8-9

## Exam Dates & Cut-off Dates for submitting applications

application forms are on our  
website [www.pels.state.ok.us](http://www.pels.state.ok.us)

**Jan. 3, 2007 - cut-off date  
for accepting P.E. & L.S.  
applications for the  
April 20, 2007 exams  
AND  
the cut-off date for E.I. &  
L.S.I. applications for non  
full-time students for the  
April 21, 2007 exams.**

**February 5, 2007 - cut-off  
date for accepting E.I. &  
L.S.I. applications for full-  
time students for the  
April 21, 2007 exams**

**June 1, 2007 - cut-off date  
for accepting P.E. & L.S.  
applications for the  
October 26, 2007 exams  
AND  
the cut-off date for E.I. &  
L.S.I. applications for non  
full-time students for the  
October 27, 2007 exams.**

**Sept. 5, 2007 - cut-off date  
for accepting E.I. & L.S.I.  
applications for full-time  
students for the  
October 27, 2007 exams.**

*In Celebration of the Lives &  
Contributions of the Following  
Professionals:*

*David L. Arnold PE 11845/LS 1202  
Broken Arrow, OK 7/11/06*

*Stephen Gogniat PE 3138  
Brookeville, MD 6/5/06*

*Gregory G. Govier PE 12700  
Broken Arrow, OK 12/15/06*

*Virgil A. Holdredge PE 3468  
Olathe, KS 3/28/06*

*Rasoul Nazermalek PE 21965  
Shreveport, LA 4/1/06*

*J.E. Parker PE 11478  
Bethany, OK 11/2006*

*Tom S. Reyenga PE 6450  
Oklahoma City, OK 11/2005*

*James Earl Rice PE 13874  
Texarkana, AR 9/22/06*

*John R. Salmons PE 15494  
Albuquerque, NM 7/4/06*

*Kevin L. Williams PE 19124/LS 1606  
Oklahoma City, OK 12/1/06*

## A Dilemma in Residential Foundations

by Robert C. Zahl, P.E.



A serious problem exists with many of the residential foundations that are being built today in central Oklahoma, in that they do not meet the minimum requirements of any of the local residential building codes. When I was hired to investigate movement problems with one of these foundations for a builder in the Del City area last year, I explained the problem with what I had seen to him, and his comment was, *“But I’ve got 118 houses that I’ve built just like this one.”* All that I could tell him was that he probably had 118 problems. This is a situation that is happening again and again, and it is creating a whole lot of unhappy homeowners.

The problem to which I am referring has to do with what the builders and foundation sub-contractors commonly refer to as a “pier and grade” foundation system. To me, this means that it is “almost” a **pier and grade beam** foundation system...but not quite. Described below is what is typically being done.

- The foundation sub-contractor “prepares the site” by scraping off the grass and other vegetation, which is considered “leveling the pad.” This does not always happen. Also, fill dirt is sometimes added to elevate the building pad.
- Following the creation of the pad, forms for the “grade beams” are put in place around the perimeter of the proposed location of the house. These forms are set to allow forming of the “grade beams,” which are usually 10” wide and 14” to 18” deep, poured right on top of the ground surface.
- Ten inch round by approximately three foot deep piers are drilled through the form openings before the grade beam reinforcing is placed into the forms, and these piers are typically spaced between 6 feet and 8 feet apart, with one vertical reinforcing bar in each of them. The concrete for the piers is generally placed at the same time the grade beams are poured.
- Once the “grade beams” have cured sufficiently to have the forms stripped off, the electrical conduit, mechanical ductwork, and plumbing pipes are laid out in the area inside of the grade beam perimeter.
- Either before or after all of the items that are going to be buried under the slab have been placed, the inside area is filled with sand or some other kind of earthen fill material. In many cases, the only compaction that this fill material receives is whatever it gets as the bobcat is running over it during the placement of the fill dirt.
- A nominal 4” slab-on-grade (typically unreinforced) is poured over the fill material, very often with a mix that is intentionally so wet that the whole slab can be poured from one or two locations.
- After the foundation is in place and the slab is poured, the superstructure is erected and the brick veneer is laid on top of the “grade beams.”

(continued on page 10)



## License Expirations September 1, 2006 to December 31, 2006

**EXPIRATION/REVOICATION** - Licenses may be revoked by the Board for non-payment of renewal fees. Licensees will be notified of revocation by certified mail. Typically this notification is mailed 10 days following expiration.

**RENEWALS** - Each license issued by the Board expires on the last day of the month in which renewal fees are due, and becomes invalid on that date unless paid. One notice of the renewal is sent by first class mail to the address of record in the board files. This in effect provides notice two months prior to revocation.

**REINSTATEMENT** - Former licensees whose certificates have expired and were revoked for failure to pay renewal fees and desire to reinstate shall make application for reinstatement within 180 days after expiration and pay the prescribed renewal fee and penalty. After 180 days, a new application will be required, which shall be considered specifically by the Board, both from the standpoint of competency and of character.

### Professional Engineers:

Callahan, John Jr.	22171	Mullican, Andrew R.	20763	Purdy, Dean L.	19273
Deaver, Daniel W.	22426	Murray, William Glenn	16807	Qualls, Jack D.	3937
Meek, John W.	13271	Muschell, James E.	10590	Quay, Walter David	17205
Meintz, Fred H.	16619	Musenda, Chisha	21563	Quilantang, Rudy O.	18748
Meissner, Kurtis L.	20935	Nagel, Gerald A.	15196	Raab, Oliver W.	21604
Melton, M. Shannon	5135	Nance, Ronald R.	13711	Radin, Jordan	21500
Messerli, Paul Ryan	20475	Neher, Robert Lloyd	12193	Radoyevich, Charles	20507
Metz, Richard A.	10895	Nelms, Larry T.	12858	Ragsdale, Randall J.	13443
Meyer, Kenneth Ray	11448	Nelson, John S.	16404	Rains, John F.	21418
Milam, William T.	1818	Neph, Richard W.	17929	Ramirez, Alberto R.	17371
Mileur, Travis W.	21582	Nevins, James R.	3743	Ramirez, Jose A.	16408
Miller, Debora J.	21003	Nickles, Stephen K.	11074	Ramm, James M.	21245
Miller, John T.	15809	Nixon, Clay B.	4265	Reaves, Sam N. Jr.	9766
Miller, Kirk E.	18585	Oakley, Julie Lynn	19535	Redic, John G.	4577
Miller, L. S.	19523	Old, Leo T.	22073	Reed, James W. III	21848
Miller, Richard A.	20288	Oliver, Jack Glenn	15336	Reed, Thomas T.	9940
Miller, Thomas N.	7906	Olson, Tracey Lynn	18656	Reese, Edward F. Jr.	13518
Miller, William Karl II	15249	Oquin, Taft R.	18501	Rehmeyer, Daran Lynn	20503
Milt, Edwin J.	11304	Owen, Everett Michael	12198	Reid, Bill H.	11694
Mintner, David C.	11632	Paadre, Koit Valdeko	9562	Reid, Joe P.	13234
Misra, Ram D.	21466	Painter, Joseph Patrick	17707	Reid, Richard Kerns	7188
Mitts, Mark M.	19890	Pappas, John	19706	Renberg, Kenneth	3886
Moatz, Keith A.	11844	Parham, John G.	10260	Renoe, James William	22010
Moe, Eric S.	21762	Peacock, Warren R.	13714	Reyes, Cesar D.	10707
Moffer, Eddie J. Jr.	11988	Pendley, Dwight K.	5701	Reynolds, Donald Ray	15680
Monroe, Rodney	21221	Perry, Steven W.	16593	Rhea, Stanley Warren	14457
Montague, David J.	10803	Petsch, Herman F.	10212	Riegel, Donald L.	16790
Montana, Carmelo J.	18372	Pham, Sy N.	18496	Rigsby, Floyd Kelly	14186
Mooney, Donald N.	7043	Philbin, Donald R.	6556	Rike, Andrew H.	20273
Mooney, Michael A.	19151	Pickle, David Howard	17221	Riley, Gregory Leo	19688
Morasch, Jessica D.	20425	Pierce, David Scott	22213	Riley, Robert O.	19912
Moravek, James M.	18869	Plummer, Gale E.	7418	Ritz, John W.	12027
Morgan, Wayne C.	6537	Poole, Ronald Gene	14154	Roberts, J. Travis Jr.	7209
Morinec, James D.	18862	Posch, Anthony G	14680	Robertson, Rodney A.	21638
Morris, Edward L.	4432	Potter, Richard Jerome	18657	Robertson, T. Scott	19495
Morris, Harvey C.	9400	Price, Paul A.	16836	Robinette, David O.	20128
Moss, David C.	18440	Price, Tommy P.	10533	Robinson, Donald K.	14753
Mueller, Richard A.	9842	Prochaska, Paul	13750	Robinson, William Jr.	16590

## License Expirations September 1, 2006 to December 31, 2006 (cont.)

### Professional Engineers: (cont)

Robleto, Robert A.	15453
Rogers, David Mercer	13726
Rolley, Robert A.	20018
Root, Paul J.	8151
Roth, Frank D.	20664
Rountree, Harry E.	2731
Rowland, Philip J.	21004
Rupprecht, John A.	12902
Russell, Bruce W.	15222
Ryan, Nelson E.	13020
Ryan, William Roger	12037

### Professional Land Surveyors:

Cook, Orville D.	341
Messerli, Paul Ryan	1601
Pack, Johnny Lee	1252
Peterson, Harvey D.	1028
Phillips, David C.	1277
Rodgers, Raymond M.	205
Ryan, Nelson E.	901

### Certificates of Authorization:

Archer Technologies Int'l, Inc.	3993	(PE)
Associated Design Group, Inc.	3981	(PE)
BKI Design & Construction Inc.	4138	(PE)
Comp-U-Site Designs, Inc.	2835	(PE)
Dannenbaum Engineering Corporation	2655	(PE)
David Sylvester-Consultant	3319	(PE)
dba TERA of TEXAS, Inc.	1565	(PE)
Dunamis Engineering LLC	4528	(PE)
EDT Engineering Company, Inc.	4487	(PE)
Industrial Project Mgmt. Assoc., LLC	5064	(PE)
Jack L. Scott & Assoc. Arch & Engrs	2719	(PE)
J. Michael Millican Consulting Engineer, Inc.	4742	(PE)
Marshall Engineering Corporation	4388	(PE)
Maschmann & Associates	4400	(PE/LS)
Mencon LLC	4463	(PE)
Mendenhall Smith, A Prof. Corporation	3506	(PE)
Midwest Testing, Inc.	3082	(PE)
NORDSTRAND ENGINEERING, INC.	3670	(PE)
OLMSTED & PERRY CONSLTG ENGRS, INC.	1804	(PE)
Parsons Brinckerhoff Const. Svcs, Inc.	2825	(PE)
Pasady, Inc.	942	(PE)
Power System Engineering, Inc.	4807	(PE)
Randall J. Hebert & Associates Inc.	964	(PE)
Rhodes Surveyors, Inc.	4508	(LS)
Roger Bullivant of Texas, Inc.	3883	(PE)
Sepahan Engineering Group, L.L.C.	4815	(PE)
Smith & Monroe & Gray Engineers, Inc.	4428	(PE)
SPARKS Companies, Inc.	2612	(PE)
Tranam Systems International, Inc.	3992	(PE)
United States Testing Co., Inc.	89	(PE)
Vanco Engineering Co.	1125	(PE)



## Congratulations To October 2006 Successful Examinees!!

### Fundamentals of Engineering:

Christina D. Aiken  
Hocine Ait Akli  
Andrew R. Aston  
Kyle M. Bacon  
Toby J. Baker  
Anthony R. Barber  
Jerus N. Barnett  
Charles W. Becker  
Jeannine M. Bennett  
Daniel R. Bolgren  
Paul A. Brantmeier  
Taylor Bryant Brown  
Corey J. Buchanan  
Ly Huong Bui  
Catherine E. Burch  
Kevin J. Burns  
Glenn A. Callaghan  
Todd M. Carver  
David J. Cassel  
James C. Chastain  
Jeffrey B. Chavez  
Todd L. Clark  
Timothy D. Coager  
Crockett W. Cobb  
Taylor S. Coleman  
Kyle G. Cook  
Clinton T. Cosgrove  
Felix I. De La Cruz  
John Mark L. Dennis  
Sheetal R. Desai  
Michael D. DeShazer  
Ryan E. Dillman  
Clint J. Doolittle  
Brad E. Doughty  
Cory M. Durham  
Ramamurthy Venkata Dwivedula  
Trevor R. Eames  
Thomas G. Easley  
Justin M. Edelen  
Thomas S. Evans  
Jonathan L. Evans  
Thomas J. Fanning  
Thomas J. Farmer  
Christopher L. Ferguson  
Aaron J. Ferguson  
William J. Fisher  
Chadd J. Fleming  
Marcus D. Flusche  
Shirrell E. Foster  
Jeffrey G. Frey  
Christopher J. Fuhrmann  
Matthew B. Gately  
Katherine A. Gifford  
Eric W. Glende  
Randal P. Gracey  
Michael J. Graves  
Mark H. Graves  
Joshua D. Grundmann  
Lindsey R. Hall  
Terrell E. Hamill  
Jonathon A. Hammack  
Chris M. Harlin  
Stephen T. Heitzman  
Scott D. Helms  
Matthew R. Hewitt  
Kelly D. Hogue  
James M. Horn  
Scott W. Hovis  
Brian C. Huckabay

Christina L. Hutchins  
Rebecca N. Jackson  
Shawn W. Jacobs  
Malayanath Jeedi  
Curtis L. Johnson  
Brandon R. Johnson  
Ben C. Johnson  
Kelly M. Johnson  
Michael R. Johnston  
Major L. Jones  
Zachary A. Jones  
Cecilia I. Jordan  
Erica J. Kappel  
Jeff S. Kirkland  
Barbara S. Kline  
Richard A. Klingenberg  
Aravind Krishnamoorthy  
Clayton T. Kristek  
Eric A. LaMont  
Aaron R. Landrum  
David B. Lanfair  
Jessica R. LaSaxon  
Edwin Lee (4/06)  
Scott M. Lee  
Matt L. Lemmons  
Laura G. Lenker  
Aaron V. Lewis  
Nathan T. Lunsford  
Jonathan R. Mach  
Evan G. MacKay  
Joshua B. Malwick  
Marisa D. Manning  
Craig H. Maricle  
Dorian G. Marx  
Lance D. McCarver  
Nathan B. McMahan  
Ryan M. McQuillen  
Sarah C. Moerbeek  
Aditya A. Moralwar  
Joshua D. Munger  
Grant O. Musgrove  
Timothy W. Nall  
William J. Nedbalek, III  
Thu Huong Thi Ngo  
Raphael I. Okereke  
Nathan Randal Osborne  
Rajbarath Panneerselvam  
Kevan W. Parker  
Beverly M. Pate  
Nehal N. Patel  
Michael A. Patete  
Aaron E. Patton  
Stacie J. Pearson  
Ngoc-Lan T. Pham  
Cody M. Porter  
Jason R. Powell  
Barkley C. Pruitt  
Jason E. Pryce  
Valerie D. Raffensperger-Uder  
Vivekkumar Rajaraman  
Casey D. Reininger  
Blane A. Rhoads  
Mohammad Q. Riaz  
Jacob A. Riesenweber  
Fredy M. Rincon-Toro  
Adam B. Roberts  
Gregory P. Robbins  
Joshua M. Robison  
Jenna K. Root  
Michael R. Rumbaugh  
Jennifer N. Ryan

Daniel P. Schuermann  
Selvaratnam Selvamohan  
Ping Shen  
Kyle M. Shepard  
Ryan A. Sherrill  
Brooke D. Shondelmyer  
Mohammed Khursheed Siddiqui  
Joshua J. Sieck  
Tanner A. Sims  
Jeff D. Soucek  
Micah J. Sperling  
Andrew P. Stam  
Alyssa J. Stanfield  
Andrew M. Stephens  
James B. Stewart  
Leonhard C. Striz  
Patrick D. Sullivan  
Sarah E. Summers  
Manav Tandon  
Joseph S. Thompson  
Charles S. Toburen  
Kristen M. Tucker  
Jagadeesh Unnam  
Francisco X. Urueta  
Steven F. Waldrop  
Xindi Wang  
Dustin M. Warden  
David A. Wiist  
Justin R. Wilkey  
Gregg S. Williams  
Michael D. Wilson  
Trapper D. Wilson  
Emily K. Wohlgemuth (4/06)  
Mark Yeary  
Michael A. Yemenu

### Fundamentals of Surveying:

Alan A. Betchan  
Cole A. Craige  
Zane W. Dunnam  
Andrew G. Fritz  
Dwain M. Garner  
Micah E. Gustin  
Jason J. Harrell  
Justin T. Johnson  
David O. Lacy  
Claude E. Marshall  
Jeremy C. Weiland  
T. D. Chappell  
James Clayton Fielder  
Michael D. Hayes  
Ty H. Olinghouse  
R. D. Pollard  
Charles Reed  
William Roberts  
Shawn Smith  
Timothy S. Young

### Principles & Practice of Surveying &/or Oklahoma Law and Surveying Exam:

Kevin W. Arnold, PS & OLS  
Toby D. Barton, OLS  
J. Wyatt Bishop, PS & OLS  
David N. Bowden, OLS  
Steve Brunton, OLS  
Stan Drannon, OLS  
Riley Elmer Griffith, PS  
R. Alan Hendrick, FS (4-06), PS, & OLS  
Patricia Ann Mantooth, PS & OLS  
Lance G. Mathis, OLS  
Will Milligan, OLS  
Billy Musick, OLS  
Mark A. Pacheco, PS  
Edward Glen Painter, OLS  
Josh L. Powers, PS & OLS  
Michael C. Ray, PS & OLS  
Michael T. Reynolds, PS & OLS  
Justin Lee Talcott, PS

### Principles and Practice of Engineering:

Clayton G. Abbott  
Ramin Abhari  
Mark A. Adams  
Shahjahan Ali  
Jimmy L. Argo  
David A. Barth  
Robert P. Bills  
Buddy B. Bolerjack  
Justin A. Borgstadt  
Brad Bull  
Preston Carney  
Christian J. Cloyd  
Christopher B. Cross  
Dustin Lee Detherow  
Cassidy Doescher  
Stephen Sean DuBois  
Brian A. Edmondson  
Joel C. Enterline  
Jason E. Flaming  
Jami L. Froehlich  
Dwayne Funk  
Lance Galvin  
Brian Haapanen  
Brian Highfield  
David Leonwill Jones  
Wesley David Kellogg  
Min S. Koo  
William Michael Martin, Jr.  
Ryan D. McGraw  
Jason McIntyre  
Ben G. Mercer  
Kevin M. Moore  
Kelly N. Pham  
Jeremy Shea Pilgreen  
Tsunami Record  
Jeffrey Wayne Ricketts  
Ahmad M. Santina  
David E. Schoneweis  
Lisa M. Silipigno-O'Brien  
Aaron T. Smith  
William W. Snipes  
Russell G. Springer  
Brad Stahlman  
Don Steel  
Charles Stockford  
Julio E. Suarez  
Jeffrey G. Thomas  
H. Lynn Tomlinson  
Bryan Weeks  
Zere H. Weldemicael

### PE Requalifications:

Scott Franklyn Armbrust  
Mondher Labbane  
Liane R. Frank Ozmun

# Organization Is The Key To Reporting Continuing Education

While the Board has required continuing education for land surveyors and conducted audits for many years, the second audit conducted for professional engineers was just completed and we seem to be all be doing a little better with this process. Continuing education records can be a very simple process with a little pre-planning and organization.

The steps to remember while obtaining your continuing education hours are:

- attend a course,
- get proof of attendance of the course, and
- file that verification in a neatly arranged file.



## *Simple.*

If you are selected for an audit, you

- pull out your continuing education file,
- make copies of your verifications of proof of attendance, and
- mail them to the Board office.

## *Even simpler.*

If you choose to attend a conference, make sure ahead of time that certificates will be provided showing proof of attendance. If not, make arrangements to obtain proof with the sponsor of the conference at the time of the conference. Don't wait 2 years and try to go back and get proof of attendance. Trying to go back and recreate everything that you did NOT keep copies of is a frustrating process for you as well as for the sponsor of the event you attended.

Another basic rule to follow is to make sure that whatever type of verification you are using to prove your continuing education hours shows actual proof from the sponsor that you attended the course or conference. Airline tickets showing travel to a conference or a receipt showing you paid a registration fee doesn't show actual proof of attendance.

The continuing education process has been a learning experience for the Board as well as the licensees, however, it appears that it is working and with a little organization can be less frustrating and more valuable experience for the licensees.

*If you have any questions regarding continuing education, please e-mail [sharlette@pels.state.ok.us](mailto:sharlette@pels.state.ok.us).*



## ALONG THE PATH TO COMPLIANCE

By Bruce Pitts, P.L.S., Director of Enforcement

### ATTENTION OUT-OF-STATE LICENSEES AND ARCHITECTS

One of the most common violations for which disciplinary action is taken by this Board is firms practicing engineering or land surveying without being properly licensed by this Board. State law (59 O.S. § 475.21) requires that firms offering to practice and practicing engineering or land surveying on a project in the state of Oklahoma obtain a Certificate of Authorization (CA) issued by this Board. Prior to offering to practice in Oklahoma, please review the parameters of offering which are listed in Board rule 245: 15-23-1(a)(5). As a licensee, you are responsible for knowing the provisions of the licensing act before you offer to practice or practice engineering or land surveying on an Oklahoma project and it is your responsibility to verify that your firm is in compliance.

The CA application requires the listing of all Oklahoma licensed engineers or land surveyors who are in responsible charge of the professional activities of the firm. Those individuals listed as being in responsible charge **must be** full time employees of the firm and cannot be part-time employees or outside consultants. If your plans contain the signature and seal of a licensee who is not a full time employee of your firm, that individual and the firm are subject to disciplinary action by this board.

If your firm is the prime contractor or professional on an Oklahoma project and hires individuals or other firms to perform engineering or land surveying on the project, those individuals and/or firms must be clearly identified as being separate from the prime professional and must sign and seal the portion of the plans that they prepared. State Board rule 245:15-17-2 (b) requires that the individual not practicing as a firm include personal contact information to at least include address and phone number. Firms must include their CA number and the renewal date of the CA.

### ATTENTION ALL LICENSEES

If you are asked to review, sign and seal a set of plans prepared by another party, I advise you to read the Board rules found in 245:15-17-2 (h). There are some instances where this practice is allowed and some instances where it is clearly not. In those limited cases where circumstances allow this practice, it is of vital importance for you to know that you, as a licensee, shall perform or have responsible charge over all professional engineering or land surveying services to include development of a complete design file including work or design criteria, calculations, code research, and any necessary and appropriate changes to the work. The burden is on the successor licensee to demonstrate such compliance.

One more reminder: when you send a document as listed in 59 O.S. § 475.15 (A) (2) to a client, it must be signed and sealed unless clearly marked "Preliminary in Nature". The application of the licensee's dated signature to a sealed document shall constitute certification that the work thereon was done by the licensee or under the licensee's responsible charge and that the licensee accepts full responsibility and liability for the professional work represented thereon. If preliminary work is sent out from the office, it must be clearly marked as preliminary and not a final, signed and sealed document. The Board considers work sent out for bid, unless so marked, as final and therefore must be signed and sealed.

### ATTENTION LAND SURVEYORS

In the last *The Board's Bulletin*, I was discussing the rules for filing certified corner record forms. I omitted any mention of the fact that if you find and accept a corner where there is an existing corner record on file with the Library, that you are not responsible for filing a new corner record as long as the monument and accessories are the same. That section of the law has remained unchanged since it was written in 1978.







# Disciplinary Activity of the Board

January 18-19, 2007

**In the Matter of Timothy L. King, PLS 1534, Case No. 2005-22; Through Consent:** For violating the Oklahoma Minimum Standards for the Practice of Land Surveying on 4 separate surveys, for violating the Corner Perpetuation and Filing Act regarding the surveys, for committing gross negligence and gross incompetence regarding the surveys, Mr. King is found Guilty and hereby Reprimanded and assessed an administrative penalty of \$1,500. Further, Mr. King agrees to file all corners required to be filed within 90 days of the date of the order and he will file all other corners he has not filed. Mr. King's authorization to perform boundary surveys is placed on Probation for a period of 2 years. Any boundary surveys performed during that time must be reviewed and approved by a reviewing surveyor at Mr. King's expense. Mr. King may continue to perform mortgage inspection reports without the approval of a reviewing surveyor.

**In the Matter of Rodolfo Lomas, PE 22485, Case No. 2006-62; Through Consent:** For failing to file an application for permanent licensure following application for his temporary permit application, Mr. Lomas is found Guilty and assessed an administrative penalty of \$500. For failing to provide information requested by the Board within 30 days as a result of a formal complaint, Mr. Lomas is found Guilty and assessed an administrative penalty of \$500. Mr. Lomas is hereby Reprimanded.

**In the Matter of David L. Mayes, PLS 1018 and High-Tech Surveying, CA 2323; Case No. 2006-79; Through Consent:** For violating the Oklahoma Minimum Standards for the Practice of Land Surveying; for violating the Corner Perpetuation and Filing Act; and for committing gross negligence in regard to the survey; Mr. Mayes is found Guilty, assessed an administrative penalty of \$4,875 and hereby Reprimanded. He will file all corners regarding the survey within 90 days of the date of the order and will correct the survey and submit the survey to this office for review and approval. He will also file all other corners he has not filed. High-Tech Surveying is found Guilty of gross negligence and misconduct for issuing the survey, which did not meet the Oklahoma Minimum Standards for the Practice of Land Surveying and is hereby Reprimanded.

**In the Matter of Reznicek Engineering, Inc. and Mark J. Reznicek, PE 17273; Case No. 2006-85; Through Consent:** For offering and practicing engineering with an expired PE license, Mr. Reznicek is found Guilty, assessed an administrative penalty of \$500 and hereby Reprimanded. Reznicek Engineering, Inc., for offering and performing engineering services without a certificate of authorization is found Guilty, assessed an administrative penalty in the amount of \$500 and hereby Reprimanded. Both are ordered to Cease and Desist from practicing or offering to practice engineering in the State of Oklahoma until such time as they have been issued a license to practice engineering in this state.

(continued on page 10)



## Disciplinary Activity of the Board (cont.)

**In the Matter of M & M Lumber Co. and Darryl Ogden; Case No. 2006-101; Summary of Findings of Fact and Conclusions of Law:** For offering and performing engineering services for a project without a certificate of authorization to do so, M & M Lumber Co. is found Guilty and assessed an administrative penalty of \$5,000. For offering and practicing engineering without a license to do so, Mr. Ogden is found Guilty and assessed an administrative penalty in the amount of \$1,000. Darryl Ogden and M & M Lumber Co. are ordered to Cease and Desist from practicing or offering to practice engineering in the State of Oklahoma until such time as they have been duly licensed to do so.

**In the Matter of 4-D Air and Eugene De Ryche; Case No. 2006-103; Through Consent:** For offering and performing engineering services for a project without a certificate of authorization to do so, 4-D Air is found Guilty and assessed an administrative penalty of \$1,000. For offering and practicing engineering services without a license to do so, Mr. De Ryche is found Guilty and assessed an administrative penalty of \$1,000. Mr. De Ryche and 4-D Air are ordered to Cease and Desist from practicing or offering to practice engineering in the State of Oklahoma until such time as they have been duly licensed to do so.



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## A Dilemma in Residential Foundations (cont.)

- The final step in this process is to place dirt backfill around the outside of the house, to cover up the bottom of the exposed concrete grade beams. This usually ends up with the bottom of the grade beams being 3" to 10" below the finish grade, which does NOT meet code, because it is not below the frost line. In this area of the state, the frost line is 16" to 18" below ground level. It is impossible to be able to get the bottom of these 14" deep members below the frost line without having the finish grade extending up onto the brick veneer. This does not work, because the tops of the grade beams are usually even with the floor line. Exposed concrete at the base of the brick veneer exterior walls is usually the first clue that this type of system has been used.

It seems that whoever decided that this system was a good way for builders to save money in the construction of a house overlooked the fact that the continuous portion of the foundation system, and not just the piers, needs to be below the frost line. There are a few things that can be done to eliminate this problem, such as using perimeter insulation, but the foundations that I am seeing installed do not have this.

The further problem with many of these systems is that the piers being installed are typically not even capable of supporting the kinds of loads that they are supposed to be carrying. One specific design that I checked would not even support the weight of the brick veneer, not to mention the rest of the wall, ceiling, and roof loads that it was supposed to be carrying. When I questioned this, and the builder passed it on to the engineers hired that had provided the design, their answer was that the load was not going to the piers...it was being supported by the ground under the grade beam. By definition, this system should not even be considered a pier and grade beam system. If the builders are going to build systems that are continuously supported by the ground, then these systems should be built to meet the minimum code requirements for continuous footings.

The Board plans to schedule a public meeting to discuss this matter and if you wish to participate please e-mail Kathy Hart at [kathy@pels.state.ok.us](mailto:kathy@pels.state.ok.us) and she will contact you to notify you when the meeting is scheduled. It will also be posted on our website. You may also submit comments in writing to the Board office concerning this issue.





## Collusion analysis . . . (continued from page 1)

### What does it prove?

Because each method uses a unique approach to flag pairs of examinees with similar incorrect response patterns, exam results flagged by any one method should be carefully scrutinized.



When a pair of examinees is flagged for possible collusion, the program indicates a statistical certainty for that method of analysis. The thresholds for these levels are set to very conservative values to avoid incorrectly identifying collusion. The results are further reviewed to indicate which examinees were seated in close proximity to one another during the exam.

While the collusion analysis can point out unusual similarities between incorrect exam responses, statistical evidence alone cannot prove exam collusion. However, the analysis does provide enough information to warrant an investigation to determine whether the results of these examinees should be invalidated.

### How has the Council used it?

Over the past year, the Council has performed collusion analyses on exam results from two administrations. For the October (2005) administration, 23 Member Boards had examinees flagged for possible collusion; for the April (2006) administration, there were 28 Member Boards.

NCEES staff reviewed the exam booklets and answer sheets of flagged examinees and notified the appropriate Member Boards, providing them with detailed reports of the collusion analysis. The Council then asked these Member Boards to conduct additional investigations of these examinees.

Boards carrying out such investigations have used a variety of methods.

- Conducting background checks
- Comparing flagged examinees' performance to their performance on previous attempts
- Asking examinees to give a written account of the exam day
- Conducting face-to-face interviews, some including a court reporter
- Noting flagged examinees who failed and monitoring them closely during future administrations
- Invalidating results and asking examinees to retake the exam at no additional charge

To date, six examinees have admitted to copying examination answers during the October 2005 administration, and the results of over 30 examinees have been invalidated.

Before the collusion analysis was available, Member Boards had to rely on irregularity reports alone during investigations of exam fraud. The statistical evidence revealed by this new program can greatly enhance a board's investigations. It acts as an important defense in protecting the integrity of NCEES exams and the licensure process.

## Oklahoma Board's Experience With Examination Subversion

by Kathy Hart, Executive Director

Oklahoma did not receive letters from NCEES regarding potential examination irregularities for the October 2005 or April 2006 examination administrations. However, following the October 2006 administration, we received a notification that 2 examinees at one of the Oklahoma examination sites had been flagged and an irregularity report was issued on the Fundamentals of Engineering Examination.

An investigation was initiated using some of the methods recommended by NCEES and referred to in the article above. The examinees were interviewed and after much discussion, one examinee did admit to copying answers from the other examinee's paper without the other examinee's knowledge. At the January 18-19, 2007 Board Meeting, the Board voted to restrict the examinee who had cheated on the examination, from taking the FE examination for two years. NCEES was notified of the Board's findings and ruling.

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201 N.E. 27th St., Room 120  
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