

MEETING NOTES
SURVEYING ADVISORY COMMITTEE MEETING
TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

April 26, 2024
10:00 a.m. – 3:00 p.m.

General Land Office
GLO Room 940A
Stephen F. Austin Building
1700 N. Congress Ave. Austin, TX 78701

Discuss and Possibly Act on the Following Agenda Items:

- Call to Order – The meeting was called to order at 10:04 am

- Roll Call
 - Stan Piper, RPLS, LSLS - SAC Chair
 - Manny Carrizales, RPLS - SAC Member
 - John Eby, RPLS – SAC Member
 - Anthony Gray, RPLS – SAC Member
 - Vas Kalogirou, RPLS – SAC Member
 - Ronny Lackey, RPLS – SAC Member
 - David McDow, RPLS, LSLS - SAC Member
 - Heather Welch-Westfall, RPLS - SAC Member
 - Dorothy Taylor, RPLS - SAC Member – (Excused Absence)

 - Coleen Johnson, RPLS – TPBELS Board Member Liaison
 - Mark Neugebauer, RPLS, LSLS – TBPELS Board Member Liaison
 - Jon Hodde, RPLS – TBPELS Advisory Member
 - Davey Edwards, PhD, RPLS, LSLS – TBPELS Advisory Member (Excused Absence)

 - Lance Kinney, PhD, PE – TBPELS Executive Director
 - Ed Brannan, PE – TBPELS Licensing Technical Specialist
 - Michael Sims, PE – TBPELS Director of Compliance & Enforcement
 - Rick Strong, PE – TBPELS Director of Licensing and Registration

Other Attendees for Presentations (Staff from GLO):

- Mike Grogan, RPLS/LSLS
- Daniel Dimas
- Christi Hanna
- Lauren Parsons
- Kevin Perkins
- Krista Schreiber, RPLS

- TSSE Exam Report – Mr. Strong gave a summary of the March 22, 2024, TSSE exam. The exam was delivered successfully with 53 examinees taking the exam and a 34% pass rate. The workgroups scored and equated the exams appropriately. Mr. Strong also shared that applicants are taking the NCEES PS with a pass rate comparable to national norms. He also covered the recent LSLs exams (no scores complete as of the meeting) and discussed plans for exams for the rest of 2024. The SAC noted that the exams seem to be proceeding smoothly.
- 32 Hour Course Guideline Discussion – Dr. Kinney reviewed the current status of the project to provide a review and possible revisions to the 32 hour course guidelines for RPLS and SIT applicants that do not have a formal associates or bachelor degree in surveying. The SAC and its workgroups have developed a set of standards and minimum course criteria and two workgroups have prepared supporting documents in order to bring this recommendation forward. The goal, if all is approved, is to present this to the full Board at the May meeting.
 - Update from White Paper Workgroup – Ms. Westfall reviewed a draft document / outline to support the background, reasoning, and recommendations of the SAC regarding this issue. The white paper is currently in a bullet form and needs to be revised to be a narrative format for easier reading. Dr. Kinney and the workgroup will make this change prior to the board meeting and circulate to the SAC for review. After discussion, some edits and changes were recommended and will be incorporated into the final version.
 - Update from Definitions Workgroup – Mr. Sims reviewed two options for the worksheet itself that capture the standards and topic minimums that the SAC has decided upon. After discussion with the SAC, the final version will limit topic areas to those listed in the statute and set the following minimums: 9 hours of land surveying courses; 3 hours of land law; and 6 hours of mathematics.

- Review of Draft Rules

The SAC then discussed the definitions of each topic area and what subjects would be included. After discussion and edits, a finalized list was agreed to.

Mr. Sims presented a draft rule that captures all of the changes. Including these changes formally in a board rule is the best way to implement them and capture the intent and will of the Board.

Mr. Sims also asked about implementation dates. If the rules move forward they will become effective in approximately six months. This may not be enough time to inform and education current students, educational programs, and mentors about the 32 hour requirement change. After discussion, the SAC agreed that this revised requirement should be in place for applicants who apply after January 1, 2026, and those that have an SIT already approved prior to that date will not have to take additional coursework to comply with the revised standard.

After discussion, the SAC unanimously supported the white paper, revised specification, worksheet, and draft rules and recommends they be presented to the Board for consideration and adoption.

- Contract Field Crews / Drafters and Direct Supervision / Plan Stamping – Dr. Kinney and Mr. Sims described the issue that the board is seeing – companies that have no RPLS are doing certain types of surveying work and using the term surveying. As long as they are NOT offering or performing boundary surveying work or calling themselves an RPLS or a registered surveying firm, by the letter of the law they can do the work. However, this can cause confusion amongst the public. In addition, some of these companies DO offer boundary surveying and do most of the on-ground data collection only to sub-contract out an RPLS to sign and seal. This violates the Act and Rules in multiple ways. The discussion centered around how common this arrangement is and the SAC opinion on the various violations. The goal of the discussion is for the Board and enforcement staff to get a better feel about common practice and how the profession views this type of practice.

After much discussion, the guidance was that this type of arrangement is not the norm but most members are aware of RPLS who try and do work in this manner. They are not in direct control of the contract workers and may be plan stamping work for pay. This is a violation of the Act and Rules and should be pursued. TBPELS staff will add this type of example to the ethics presentations and develop newsletter articles for both TBPELS and TSPS to share to discourage this type of work and make it clear this is against the Act and Rules. The compliance and enforcement division will continue to pursue complaints for this type of arrangement.

- NCEES Proposal - PS Mapping Sciences Exam – Ms. Johnson provided the background of the recent changes proposed at NCEES for the format of the PS examination. NCEES has collected data (called a PAKS study) for what jurisdictions need to be included in the PS exam, and to determine if it needs to be broken into separate exams focused on certain topics. The initial analysis showed that a primary PS exam consisting of the ‘general’ and ‘boundary’ topics would be used by all states, and a second PS exam focusing on Public Land System (PLS) would be used by states that have that as part of their system. In the initial analysis, there was not enough interest in a third exam focused on Mapping Sciences.

However, at the recent NCEES Southern Zone meeting, a number of states expressed their desire to have a Mapping Sciences examination and are working to push NCEES to develop that exam. The process includes asking individual states to respond that they would or would not need such an exam. The question before the SAC is whether Texas would need this exam and if they should provide a letter of recommendation to NCEES.

After discussion, the SAC did NOT support sending a letter to NCEES in support of the development of the Mapping Exam. Texas does not regulate these activities by statute and does not require

examinations in this area for registration. It was noted that the SAC does not actively oppose the development of the exam for other states.

- PS Exam Re-take Policy and Rules – Mr. Strong shared an overview of the current exam retake policy for both the PS and PE exams. Currently, rules state that an applicant has three attempts to pass the exam and if they do not pass within the three attempts they must either gain an additional year of experience or additional formal education prior to re-applying for more exam attempts. A review of the pass rate data and a poll of other state boards shows that this process does not necessarily improve the applicant’s performance on the exams. After consideration, the board staff is recommending that both the PS and PE exam rules be amended to have no limit on the number of attempts for the PE and PS exams once they are approved to take the exam. This provision would NOT apply to the TSSE exam – the three exam limit would still be in place for that exam. The SAC agreed with the recommendation to the full board.
- Review of Clean-Up Rules – Mr. Strong presented a package of rules that board staff has compiled for corrections and edits to the current rules. Most are related to application or registration related topics and are minor changes or improvements to the process. The SAC reviewed the proposals, made a few small edits, and then concurred with submitting the proposed rule changes to the Board for consideration and adoption.
- LSLs / RPLS Examples for Outreach – Mr. Neugebauer provided an introduction that his team at the GLO is seeing a number of submittals to their office with fundamental or basic errors that the team has to deal with. They contend that these types of things should absolutely be caught prior to submittal by RPLS / LSLs and wanted to share examples with the SAC and Board staff.

Mr. Grogan and GLO staff presented a package of surveying work that was submitted with these types of basic errors. The SAC discussed possible methods to share these concerns with the public and the surveying community, including outreach presentations and articles in the newsletters. TBPELS staff and SAC recommended that egregious violations should be reported to the TBPELS via the complaint process. Staff will continue to work with the GLO on options going forward.

- Other Items from Committee Members – TBPELS staff and the SAC would like to thank Mr. Neugebauer and the GLO for allowing the use of their conference room and for the wonderful tour of the GLO archives and map room.

The SAC recommended continuing the discussion on mentorship and apprenticeship in the profession and how to best encourage it for the next generation of surveyors.

- Adjourn