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REGULATORY BOARD REVIEW

WEST VIRGINIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS

AUDIT OVERVIEW

The West Virginia Board of Registration for Professional Engineers Should Be Continued and Complies With Most of the General Provisions of Chapter 30 of the West Virginia Code

Opportunities Exist for the Board to Reduce Operational Costs

The Board is in Compliance With Three Previous Recommendations and Disputes One Recommendation

The Board's Website Is User-Friendly and Transparent and Only Needs Modest Improvement



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EXECUTIVE SUMMARY

This evaluation of the West Virginia Board of Registration for Professional Engineers (Board) is authorized by the West Virginia Performance Review Act, Chapter 4, Article 10, of the *West Virginia Code*, as amended. This review analyzes the Board's compliance with the general provisions of Chapter 30 of the *West Virginia Code*, compliance with recommendations made in a previous report, and the Board's website. The findings of our review are highlighted below.

Report Highlights

Issue 1: The West Virginia Board of Registration for Professional Engineers Should Be Continued and Complies With Most of the General Provisions of Chapter 30 of the *West Virginia Code*.

- The Board is in compliance with most of the general provisions of Chapter 30 of the *West Virginia Code*. The Board had three complaints exceed the 18-month timeline mandated by Code.
- The Board could improve its internal controls when receiving funds delivered through the mail. Currently, one staff person is involved in receiving, recording, safekeeping, and depositing money received while another staff person receives, records, and reconciles money received.

Issue 2: Opportunities Exist for the Board to Reduce Operational Costs.

- The Board's printing and postage costs average over \$60,000 per year. This amount could be significantly reduced using email communications.
- The Board raised an employee's salary by more than 50 percent three years before retirement. This raise has incurred an additional expense of more than \$4,600 per year to the State's retirement system. According to the Board, this raise was justified by citing an increased workload in FY 2010; yet the workload decreased by more than 50 percent for FYs 2011 through 2013.
- The Board has hired a full-time employee at a salary of \$70,000 per year to be its new investigator. The caseload has decreased dramatically and prior to FY 2011 a part-time investigator handled a larger caseload. The Board's investigative function now costs \$33,000 more than it did in FY 2010.

Issue 3: The Board Is in Compliance With Three Previous Recommendations And Disputes One Recommendation.

- The Board has not complied with a recommendation to discontinue its requirement for complaints to be verified by a notary public. This requirement does not add any additional protection to the public and may be limiting the number of complaints received by the Board.

- The Board's executive director's travel has decreased dramatically and records do not indicate that the Board is reimbursing for travel not related to the Board's duties.
- The Board has complied with recommendations to cease funding educational courses related to registration exams. The Board is no longer providing hospitality and entertainment for engineering students.

Issue 4: The Board's Website Is User-Friendly and Transparent and Only Needs Modest Improvement.

- The Board's uses a large number of features to increase its user-friendliness and transparency. The Board's website scores a 74 percent indicating the need for only modest improvements.
- The Board's website is generally user-friendly and users can find most desired information through help links, a FAQ page, a search tool, and a site map. The Board could utilize options to increase webpage font, post information to social media, and information indicating when the website has been updated.

PERD Evaluation of the Agency's Written Response

PERD received the Board's response to the report on December 31, 2013. The Board is in agreement with most recommendations made and immediately took steps to segregate the duties of employees when receiving funds and to increase the user-friendliness and transparency of its website. The Board indicated that it would reevaluate the need for a full-time investigator. The Board's response can be found in Appendix E.

Recommendations

1. *The Legislative Auditor recommends that the Board of Registration for Professional Engineers consider requiring registration applicants, and periodically, renewal registrants, provide the Board with a sealed, criminal history background check as a pre-requisite to registration.*
2. *The Legislative Auditor recommends that the Board of Registration for Professional Engineers establish an internal controls process that further segregates duties when processing fees and that does not allow for the same staff to be involved in numerous steps of the process.*
3. *The Legislative Auditor recommends that the Board of Registration for Professional Engineers consider taking steps to allow for the initial registration fees, fines, and other sources of revenue to be paid online.*

4. *The Legislative Auditor recommends that the Board of Registration for Professional Engineers consider printing necessary documents in-house and better utilizing email communications to send newsletters and other information to registrants.*
5. *The Legislative Auditor recommends that the Legislature should consider amending West Virginia Code §30-13-18 to authorize the Board to email renewal notices to registrants and certificate holders.*
6. *The Legislative Auditor recommends that the Board of Registration for Professional Engineers should reevaluate the need for a full-time investigator and report back its findings and justification to the Joint Committee on Government Organization at a later date.*
7. *The Legislative Auditor recommends that the Board of Registration for Professional Engineers should comply with the previous recommendation and remove the requirement for complaints to be notarized.*
8. *The Legislative Auditor recommends that the Board of Registration for Professional Engineers make improvements to its website to increase user-friendliness and transparency.*

The West Virginia Board of Registration for Professional Engineers (Board) was

BACKGROUND

statutorily established by the Legislature in 1921. The Board is responsible for protecting the health, safety and welfare of the citizens of West Virginia by enforcing the laws, rules and board policies and procedures that regulate professional engineers.

West Virginia Code defines the scope of engineering to be a person who provides any service or creative work which requires engineering education, training, and experience such as consultation, investigation, evaluation, planning and design of engineering works and systems; plans the use of public lands and water; teaches advanced engineering subjects; conducts engineering reviews and studies; and reviews construction. The scope of engineering work described by WV Code includes structural, mechanical, industrial, and electrical engineering.

The Board issues three types of registrations: Professional Engineer, Professional Engineer-Retired, and Certificates of Authorization (COA). The Board must issue a COA prior to persons and firms practicing or offering to practice engineering in the state. Table 1 details the number of registrants and COAs for FY 2008 through 2013.

The number of Professional Engineers,...has steadily increased each year since FY 2008.

Type	2008	2009	2010	2011	2012	2013
Professional Engineer	6,643	6,853	7,041	7,291	7,469	7,657
Professional Engineer-Retired	267	268	278	299	319	349
Certificate of Authorization	2,253	2,326	2,465	2,622	2,815	2,957

Source: Board of Registration for Professional Engineers. Unaudited.

The number of Professional Engineers, as well as the number of COAs has steadily increased each year since FY 2008. The Board requires registrations and COAs to be renewed annually. The Board's fee structure is detailed in Table 2.

**Table 2
Board Registration Fees**

Type of Registration	Initial	Renewal
Professional Engineer	\$80	\$40
Professional Engineer-Retired	-	\$25
COA sole proprietor*	\$0	\$0
COA with three or fewer Professional Engineers	\$100	\$50
COA with four or more Professional Engineers	\$150	\$300
Seal Registration	\$25	-
Comity Application**	\$150	-

*There is no COA fee for a sole proprietorship.
**Comity applications are for Professional Engineers who are licensed/registered in another state.
Source: Code of State Regulations § 7-1-13.

The Board also requires all engineers practicing with a COA to have a seal registered and approved by the Board. The fee for seal registration is \$25. To see a complete fee structure see Appendix C on page 41 of the report.

ISSUE 1

The West Virginia Board of Registration for Professional Engineers Should Be Continued and Complies With Most of the General Provisions of Chapter 30 of the *West Virginia Code*.

Issue Summary

The Board of Registration for Professional Engineers should be continued. The Legislative Auditor found the following in the overall functioning of the Board:

- The Board is in compliance with most of the general provisions of Chapter 30 of *West Virginia Code*.
- The Board should consider requiring applicants to submit FBI criminal background checks.
- The Board could improve its internal controls.

The Legislative Auditor concluded that the licensing of professional engineers is necessary for the protection of the citizens of West Virginia.

The Board Should Be Continued

In 2007 the Legislative Auditor conducted a regulatory board review of the West Virginia Board of Registration for Professional Engineers. The Legislative Auditor concluded that the licensing of professional engineers is necessary for the protection of the citizens of West Virginia. As the occupational tasks of professional engineers have not changed since the 2007 report, the Legislative Auditor finds that the State has a continuing interest in regulating the profession.

The Board Has Complied With Most Chapter 30 Requirements

The Board is compliant with most of the general provisions of Chapter 30 of the *West Virginia Code*. The Board complies with the following provisions:

- The Board has attended the State Auditor's orientation session (§30-1-2a (b));
- The Board has adopted an official seal (§30-1-4);
- The Board met at least once annually (§30-1-5(a));

- The Board’s complaints were investigated and resolved with due process (§30-1-5); (30-1-8);
- The Board promulgated rules specifying the investigation and resolution procedure of all complaints (§30-1-8(k));
- The Board has been financially self-sufficient. (§30-1-6(c));
- The Board has established continuing education (§30-1-7a);
- The Board has submitted its annual report containing a statement of its receipts and disbursements and a list of complaints filed against its licensees to the Governor and the Legislature (§30-1-12(b));
- The Board has published its address and telephone number as required by Code (§30-1-12(c)); and
- The Board has maintained a complete roster of the names and addresses of all licensees and applicants (§30-1-13).

The Board is maintaining an end-of-year cash balance that is in excess of one year of expenditures.

The Board Is Financially Self-Sufficient

The Board is maintaining an end-of-year cash balance that is in excess of one year of expenditures. Financial self-sufficiency of regulatory boards is required by *West Virginia Code* §30-1-6(c). The Board’s end-of-year cash balances increased from FY 2009 to FY 2013 and confirm that the Board is currently self-sufficient (see Table 3).

Table 3
Revenues and Expenditures FY 2008 to 2013

FY	Beginning of Year Cash Balance	Revenues	Expenditures	End of Year Cash Balance
2008	\$830,905	\$720,502	\$620,124	\$931,283
2009	\$931,283	\$681,320	\$580,099	\$1,032,503
2010	\$1,032,503	\$742,918	\$658,441	\$1,116,981
2011	\$1,116,981	\$776,726	\$813,529	\$1,079,178
2012	\$1,079,178	\$768,996	\$718,720	\$1,129,454
2013	\$1,129,454	\$842,300	\$774,255	\$1,197,499

Source: West Virginia Digest of Revenue Sources.

Like other regulatory boards, the Board has a relatively small staff to perform several administrative tasks. The Board's administrator performs most of the financial duties. However, in evaluating the finances of the Board, the Legislative Auditor found certain aspects of the Board's finances that indicate a low risk of fraud. The Legislative Auditor calculated the minimum expected revenue for the Board by multiplying the annual renewal fees by the number of individuals on the Board's register, and determined that the minimum expected revenue is lower than the actual revenue. There would be concern if expected revenue was significantly higher than actual revenue and would require an inquiry by PERD (see Table 4). The Legislative Auditor evaluated the Board's 2012 expenditures and found over 92 percent of the Board's expenses consisted of expected expenditures such as staff salaries, benefit payments, and increment payments; office rent and utility payments; board member and staff travel expenses; and contractual obligations. The Legislative Auditor considers this at a threshold that reflects a low risk of fraud on the expenditure side.

The Board receives most of its revenue from renewal fees which are typically paid online. Based on the number of licensees reported in the Board's FY 2013 Annual Report, the Board's licensure renewal fees should be approximately \$575,705. Information obtained from the Board shows that \$650,498 was collected online in FY 2013. Table 4 details the Board's expected and actual renewal revenue. The evaluation of revenue and expenditures, and the fact that most revenue is received electronically suggest a low risk of fraud.

In evaluating the finances of the Board, the Legislative Auditor found certain aspects of the Board's finances that indicate a low risk of fraud.

The Board receives most of its revenue from renewal fees which are typically paid online.

Table 4
Expected and Actual Renewal Revenue

Year	Professional Engineer (\$40)	Professional Engineer-Retired (\$25)	COA- Sole Proprietor (\$0)	COA Three or Fewer Employees (\$100)	COA Four or More Employees (\$150)	Projected Revenue	Actual Revenue
2011	7,291	299	585	1,070	801	\$526,265	\$587,676
2012	7,469	319	631	1,136	842	\$546,535	\$587,973
2013	7,657	349	678	1,218	926	\$575,705	\$650,498

Source: Board Annual Reports, data obtained from FIMS, and information supplied by the Board.

The difference between projected revenue and actual revenue can largely be attributed to the Board's renewal period, new applicants, late fees and other fees. Registrants are required to renew by July 1 each year. A renewal fee postmarked after July 1 is considered late and the Board assesses a penalty of 25 percent of the fee per month of delay up to three months. Late fees can add a significant amount of revenue to the next

year. For example, during FY 2013 a total of 510 Professional Engineers, 41 Retired Engineers, and 259 COAs were charged a late fee. Because their fees were late, renewal revenue from these registrants will appear on the FY 2014 revenue statements. These registrants will account for more than \$56,000 in renewal fees and late fees in FY 2014.

The Board Generally Resolves Complaints Within Mandated Time Frames

The Legislative Auditor reviewed all 37 complaints investigated by the Board during fiscal years 2011 through 2013. Complaints made by the public generally involved allegations of improper or incomplete services. Complaints initiated by the Board, which comprise the majority of complaints, involved improper statements of qualifications and practicing without a COA. Four complaints are still open; one of which exceeded the code-mandated 18-month timeframe for resolutions of complaints. Two resolved complaints also exceeded this timeline. One of these complaints exceeded the timeline due to being placed on hold awaiting action in another state and the other complaint had issues with getting the respondent to reply to communication in a timely fashion.

The complaint resolution time for the Board from FY 2011 to 2013 ranged from 47 days to 25 months.

The open complaint exceeding the timeline is currently on hold awaiting court appeals or actions in other states. In general, all of the complainants receive a status update within six months if the case has not been closed and all complainants receive a notification of the Board's final ruling.

The complaint resolution time for the Board from FY 2011 to 2013 ranged from 47 days to 25 months. Table 5 shows the number of complaints received yearly for the past three fiscal years and the average time to resolution.

Table 5
Complaint Decision Statistics
FY 2011 to 2013

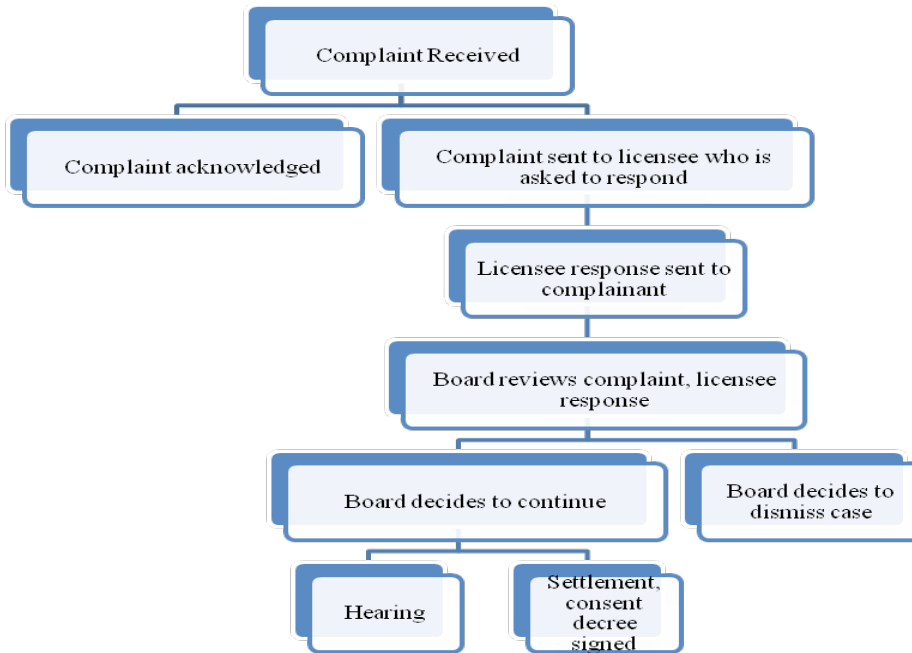
Fiscal Year	Number of Complaints Received	Number of Complaints Closed Within 18 Months*	Number of Complaints Exceeding 18 Months	Average Months to Decision
2011	11	11	0	5
2012	14	11	3	10
2013	12	9	0	6

**Not all complaints reviewed have been resolved.*

Source: Legislative Auditor's review of the Board's complaint files.

Figure 1 below details the Board’s complaint procedure:

**Figure 1
Board’s Complaint Process**



The Board appears to have a low number of complaints given the number of registrants under the Board’s purview. In FY 2013 there were 7,657 active professional engineers and 2,957 COAs. There were also 349 retired professional engineers. The low number of complaints may relate to the Board’s decision to continue requiring public complaints to be notarized. This will be addressed in further detail in Issue 3 of the report.

Since 2007 more than half of the Board’s complaints involved practicing without proper registration.

The Board dismissed 15 of the total 37 complaints received without a formal hearing. Since 2007 more than half of the Board’s complaints involved practicing without proper registration. For instance in FY 2007, 24 of the 25 complaints filed involved persons practicing without a proper registration or COA.

The Board Has Established Continuing Education Requirements

The Board has established continuing education requirements for its registrants. Each professional engineer is required to complete a minimum of 15 hours of continuing education during the annual renewal period. All registrants are required to provide the Board with proof the registrant took the continuing education course at the time of renewal.

Table 6 displays the continuing education requirements for West Virginia and neighboring states.

All registrants are required to provide the Board with proof the registrant took the continuing education course at the time of renewal.

State	CE Hours	Renewal Period
Kentucky	15 per year	Biennial
Maryland	12 per year	Biennial
Ohio	15 pear year	Biennial
Pennsylvania	24 every 2 years	Biennial
Virginia	8 per year	Biennial
West Virginia	15 per year	Annual

Source: Legislative Auditor review of the National Council of Examiners for Engineering and Surveying website.

The Board Should Consider Requiring Applicants to Submit a Sealed, FBI Criminal History Background Check

The Board should consider requiring applicants for registration to submit FBI criminal background checks at the time of application for registration and periodically thereafter. The Board does not have legal authority to conduct federal criminal background checks itself on registrants. However, it could require applicants to obtain a personal criminal background check and provide the sealed results to the Board. Requiring a background check will add an additional layer of protection to the public. In the past, the Board has revoked registration due to felony convictions and taken action against registrants who provided false information on their application. However, if the Board decides to require applicants to obtain a criminal background check then the Board needs to develop clear and concise rules regarding what would disqualify an applicant, or warrant a revocation of a COA or registration, in order to ensure consistent decisions.

In the past, the Board has revoked registration due to felony convictions and taken action against registrants who provided false information on their application.

The Board Could Improve Its Internal Controls

The Board appears to have enough staff to allow for adequate segregation of duties. The Board does indicate that it utilizes a regular process when receiving checks and cash. However, the Legislative Auditor believes the Board could further segregate the duties of the staff. Segregation of duties is an important internal control that guards against inappropriate use of funds received by the Board. Boards should work to reduce the risk of loss using proper segregation of duties. These risks include possible lost or stolen funds when registrants pay by cash or check. Electronic methods are recommended to reduce this risk.

There are five best steps in an ideal internal control system. These five practices are segregating the functions of:

- receipt of revenues,
- recording of revenues received,
- safeguarding revenues received,
- depositing revenues received, and
- reconciling revenues received.

Currently, the Board utilizes its administrator and an administrative assistant to open mail and receive revenue. If either is out of the office, then a second administrative assistant fills in. Revenues are then recorded by both administrative assistants and the administrator. The administrator safeguards and deposits all revenue while an administrative assistant reconciles revenue. The Board scans all checks received to the Treasurer's Office utilizing a scanner. This is also recommended by the Treasurer and allows checks to be deposited within 24 hours.

As currently designed, one Board employee is involved in four of the five steps of the process and a second employee can be involved in three steps. Best practices dictate that no one staff person should be involved in more than one step of the process. The Legislative Auditor recommends that the Board should further segregate the duties of staff when processing renewal fees.

Registrants may pay renewal fees electronically through the Treasurer's online systems or mail checks to the Board. Table 7 illustrates that since FY 2011, more than 75 percent of all revenues have been paid electronically using the Treasurer's online system reducing the risk of loss and fraud.

The Legislative Auditor believes the Board could further segregate the duties of the staff.

Table 7
Amount of Revenue Collected Online or Mailed
FY 2011 to 2013*

Fiscal Year	Total Revenue	Collected Online	Percent	Received by Mail	Percent
2011	\$ 776,251	\$587,676	76%	\$ 188,575	24%
2012	\$ 769,016	\$587,973	76%	\$ 181,043	24%
2013	\$ 842,335	\$650,498	77%	\$ 191,837	23%

**All Totals have been rounded to the nearest dollar and percent.*
Source: Board of Registration for Professional Engineers.

Only renewal fees can be paid electronically through the Auditor's Office. If the Board allowed initial registration fees and fines to be paid online, this would further reduce the risk of loss and increase staff time availability for other duties. Therefore, the Legislative Auditor recommends that the Board of Engineers should take steps to allow for receiving initial registration fees, fines, and other types of revenue online.

Conclusion

The West Virginia Board of Registration for Professional Engineers is compliant with most of the general provisions of Chapter 30 of the *West Virginia Code*. The Legislative Auditor does have some concern about the segregation of duties related to financial controls. Currently, the same staff person is responsible for receiving, recording, safeguarding, and depositing revenues. Additionally, another staff person may receive, record, and reconcile revenues. This system is not ideal and creates financial risk for the Board that could be avoided. Segregating duties to allow for staff to not be involved in multiple steps in the process would serve to strengthen the Board's financial controls. The Board could also make greater use of the WV State Treasurer's online payment system which would reduce risk and further improve internal controls.

If the Board allowed initial registration fees and fines to be paid online, this would further reduce the risk of loss and increase staff time availability for other duties.

Recommendations

1. *The Legislative Auditor recommends that the Board of Registration for Professional Engineers consider requiring registration applicants, and periodically, renewal registrants, provide the Board with a sealed, criminal history background check as a pre-requisite to registration.*

2. *The Legislative Auditor recommends that the Board of Registration for Professional Engineers establish an internal controls process that further segregates duties when processing fees and that does not allow for the same staff to be involved in numerous steps of the process.*

3. *The Legislative Auditor recommends that the Board of Registration for Professional Engineers consider taking steps to allow for the initial registration fees, fines, and other sources of revenue to be paid online.*

ISSUE 2

Opportunities Exist for the Board to Reduce Operational Costs and Thus Lower Registration Fees.

Issue Summary

The Board should consider methods to reduce operational costs. The Legislative Auditor found that:

- The Board could generate a cost-savings by increasing the use of email instead of regular mail to communicate with registrants.
- The Board raised the salary of an employee by almost \$20,000 three years prior to retirement.
- The Board hired a full-time investigator to handle a shrinking caseload.

The Board Could See Cost-Savings by Increasing Its Use of Email Communications with Registrants

While the Board is financially self-sufficient, the Legislative Auditor noted an area where the Board could realize cost savings. The Board spent in excess of \$60,000 in FYs 2012 and 2013 for printing and mailing newsletters and other information to its registrants. Table 8 details these expenses for the last three fiscal years.

Fiscal Year	Printing Costs	Postage Costs	Total
2011	\$17,340	\$37,062	\$54,402
2012	\$13,575	\$47,444	\$61,019
2013	\$19,352	\$48,452	\$67,804
Total	\$50,267	\$132,958	\$183,225

Source: West Virginia State Auditor's Office.

Switching to in-house printing and relying more on email communications with registrants could lead to cost savings. For example, in 2009 the Board of Medicine began printing documents in-house and using email communications to send documents to licensees. The Board of Medicine now emails newsletters and other information to licensees whenever possible. These two actions have resulted in saving the Board of Medicine more than \$36,000 per year in printing and postage. This could assist the Board by reducing the amount of staff time required to prepare mailings to registrants and increase the amount dedicated to other duties.

The Legislative Auditor recommends that the Board should consider printing necessary documents in-house and better utilizing email communications to send newsletters and other information to registrants. *West Virginia Code* §30-13-18 requires the Board to mail renewal notices to registrants one month in advance to remind them of the need to renew their registration or certificate. Because of this Code requirement, the Board will still need to physically mail notices to more than 10,000 registrants. The Legislative Auditor recommends that the Legislature should consider amending code to authorize the Board to email renewal notices to registrants and certificate holders.

The Board Significantly Increased an Investigator’s Salary Three Years Prior to Retirement

The Legislative Auditor found that the Board recently increased the salary of its single investigator by more than 50 percent 3 years prior to retirement. Although the Board makes its own salary decisions, the Legislative Auditor is concerned in this case because the employee is scheduled to retire in January 2014. The investigator was paid \$37,948 in FY 2010. The salary was increased by almost \$20,000 to \$57,741 in FY 2011.

This gives the appearance that the Board may have increased the investigator’s salary prior to retirement to increase his retirement benefits. The investigator was a part-time employee working 20 hours per week prior to 2010. The investigator’s status changed to a three-quarters time employee working 30 hours per week in 2010.

According to the Board, the investigator’s hours were increased to 30 hours from 20 hours a week due to an increased workload. The Board’s meeting minutes dated May 25, 2010 indicate the Board increased the investigator’s hours from 0.5 Full-Time Equivalent (FTE) to 0.75 FTE “due to current workload.” A total of 25 complaints were filed in

Switching to in-house printing and relying more on email communications with registrants could lead to cost savings.

The Legislative Auditor found that the Board recently increased the salary of its single investigator by more than 50 percent three years prior to retirement.

FY 2010. The number of complaints decreased by more than 50 percent to 11 complaints in FY 2011 and has remained low for both FY 2012 and FY 2013. **Over this 3-year time period the Board has averaged 12 complaints per year.** The Board has not reexamined the need for a 30-hour per week investigator since caseloads have now decreased. The Legislative Auditor reviewed the Board's complaint files and has not determined the complaints filed FY 2011 through FY 2013 to be more complicated than in previous years. Of the 37 complaints filed over this time period, 14 complaints involved engineers practicing without proper registration, and 14 complaints were dismissed within 6 months of receipt.

The number of complaints decreased by more than 50 percent to 11 complaints in FY 2011 and has remained low for both FY 2012 and FY 2013.

Additionally, the investigator handled larger caseloads in FY 2007 (25 complaints) and FY 2009 (24 complaints) while working 20 hours per week. Table 9 illustrates the investigator's salary, caseload, and hours worked from FY 2010 through FY 2013.

Fiscal Year	Salary	Hours Worked Per Week	Complaints Filed
2010	\$37,948	20	25
2011	\$57,741	30	11
2012	\$60,156	30	14
2013	\$62,110	30	12

Source: Information obtained from WV FIMS and Board Annual Reports.

The Legislative Auditor has concerns about the timing of this salary increase related to state retirement benefits.

The Legislative Auditor has concerns about the timing of this salary increase related to state retirement benefits. The West Virginia Consolidated Public Retirement Board (CPRB) determines retirement benefits by the following formula:

Years of Services x Final Average Salary x 2%

The Final Average Salary is the average annual salary from the highest 36 consecutive months within the last 15 years of employment. The retiring investigator will have 10 years of service at the time of retirement. This salary increase has incurred a debt to the State of \$12,080 to pay for retirement expenses. If the investigator's salary had remained at \$37,252 the retirement benefits would be \$7,450. This sudden rise in salary will indebt the State to an additional \$4,630 per year in retirement benefits or \$46,300 over the next 10 years.

The Board Should Reexamine the Need for a Full Time Investigator

Due to the pending retirement of the Board's investigator, the Board has hired a full-time investigator at a salary of \$70,000 per year to handle its caseload after the current investigator retires. Both investigators employed by the Board have degrees in engineering. Over a three-year period the Board has averaged 12 complaints a year with an average of 5 complaints dismissed. The investigative function now costs the Board \$32,748 more than in FY 2010. It is not clear to the Legislative Auditor how a full-time investigator making \$70,000 annually to work a relatively small caseload can be justified. The Legislative Auditor recommends that the Board should reexamine the need for a full-time investigator and report back its findings and justification to the Joint Committee on Government Organization at a later date.

Conclusion

The Board should reexamine methods to generate cost-savings and potentially allow for reduced registration fees. In addition, the Board should consider not only the appearance of significant salary increases prior to an employee's retirement, but also the added burden to the State's employee retirement system. After the investigator's employment with the Board has ended, it has no further financial interest and has in effect left the retirement system and taxpayers to pick up further expenses. While an additional \$4,630 a year in retirement expenses may appear relatively minor, if every licensing board and state agency took similar action and gave all employees a 50 percent raise prior to retirement, the adverse effect on the retirement system would be substantial.

The investigative function now costs the Board \$32,748 more than in FY 2010.

Recommendations

4. *The Legislative Auditor recommends that the Board of Registration for Professional Engineers consider printing necessary documents in-house and better utilizing email communications to send newsletters and other information to registrants.*
5. *The Legislative Auditor recommends that the Legislature should consider amending West Virginia Code §30-13-18 to authorize the Board to email renewal notices to registrants and certificate holders.*

6. *The Legislative Auditor recommends that the Board of Registration for Professional Engineers should reevaluate the need for a full-time investigator and report back its findings and justification to the Joint Committee on Government Organization at a later date.*

ISSUE 3

The Board Is in Compliance With Three Previous Recommendations And Disputes One Recommendation.

Issue Summary

This issue is an update of the Full Performance Evaluation of the Board issued in August 2007. The purpose of this update is to determine whether or not the agency has complied with recommendations made in the original evaluation. The report provided four recommendations. The Legislative Auditor finds that:

- The Board is in compliance with three recommendations.
- The Board disagrees with one previous recommendation and continues to require complaints to be verified by a notary public.
- Requiring complaints to be notarized does not add any additional protection to the public and may lead to a reduced number of complaints.

In examining the Board's efforts toward compliance with the August 2007 report, this update used the following designations for levels of compliance.

In Compliance	The agency has corrected the problems identified in the previous audit report.
Partial Compliance	The agency has partially corrected the problems identified in the previous audit report.
Planned Compliance	The agency has not corrected the problem but has provided sufficient documentary evidence to find that the agency will do so in the future.
In Dispute	The agency does not agree with either the problem identified or the proposed solution.
Non-Compliance	The agency has not corrected the problem identified in the previous audit report.
Requires Legislative Action	The recommendation was intended to call the attention of the Legislature to one or more statutory issues.

Recommendation 2

The West Virginia Board of Registration for Professional Engineers should amend its procedural rules to discontinue the requirement of verification of complaints by a notary public.

Level of Compliance: In Dispute

The previous report recommended that the Board discontinue requiring complaints to be verified by a public notary. The Board is in dispute with Recommendation 2 and still requires complaints to be notarized by a public notary. The Board's rationale behind this decision is based on the fact that the West Virginia Ethics Commission also requires complaints to be notarized. The Legislative Auditor notes that law enforcement does not require members of the public to seek verification from a public notary to report a crime while, in comparison, the Board requires verification from a public notary to file a complaint.

In 2007, the Legislative Auditor expressed some concern that this requirement could be negatively impacting the number of complaints received by the Board. The Board still appears to receive a low number of complaints from the public. Table 11 details the number of public complaints each year for FY 2011 through FY 2013.

Year	Public Complaints	Board Complaints	Total Complaints
2011	5	6	11
2012	5	9	14
2013	5	7	12
Total	15	22	37

Source: Information obtained from the Board's complaint files.

Each year the Board received five complaints from the public. The Legislative Auditor still considers requiring verification of complaints by a public notary unnecessary and that it does not add any additional layers of protection for the public. This requirement also does not appear to result in a higher quality of complaints being filed. Of the 15 public complaints received by the Board, 12 of them were dismissed without a hearing.

The Board is in dispute with Recommendation 2 and still requires complaints to be notarized by a public notary.

The Legislative Auditor still considers requiring verification of complaints by a public notary unnecessary and that it does not add any additional layers of protection for the public.

Recommendation 3

The West Virginia Board of Registration for Professional Engineers should refrain from funding educational programs associated with the American Society for Civil Engineers or any organization that does not relate to the Board's statutory mandate.

Level of Compliance: In Compliance

In the 2007, report the Legislative Auditor found that the Board began working with the American Society for Civil Engineers (ASCE) to provide exam review courses to engineering students without the necessary statutory power to do so. In communications with the Office of the Legislative Auditor, the Board's Executive Director stated that the Board has complied with the recommendation and discontinued funding these courses. The Legislative Auditor's staff reviewed board expenditure data from the State Financial Information Management System (FIMS) and the State Auditor's Office website for fiscal years 2010 through 2013 and found no indication that the Board has continued to provide funding for these courses. As a result, the Legislative Auditor finds the Board to be in compliance with Recommendation 3.

In the 2007, report the Legislative Auditor found that the Board began working with the American Society for Civil Engineers (ASCE) to provide exam review courses to engineering students without the necessary statutory power to do so.

Recommendation 4

The West Virginia Board of Registration for Professional Engineers should cease reimbursing expenses for ASCE-related travel and travel on behalf of representation for other similar organizations. Furthermore, annual leave should be taken by Board staff while attending those meetings on workdays.

The previous report found that over half of the Board's Executive Director's trips were for ASCE-related activities.

Level of Compliance: In Compliance

The previous report found that over half of the Board's Executive Director's trips were for ASCE-related activities. The ASCE is a national civil engineer organization that does not directly relate to the Board's duty of protecting the public. The Legislative Auditor recommended that the Board should cease reimbursing expenses for ASCE-related travel and travel on behalf of representation for other similar organizations. The Board stated that it has complied with this recommendation.

Since this recommendation, the Executive Director's travel expenses, as well as the number of trips, have decreased dramatically. A review of FIMS data and information from the West Virginia State

Auditor's Office indicates that the Executive Director has not been reimbursed for ASCE-related travel during FYs 2009-2013. Table 11 details the number of trips taken and total travel expenses for the Board's Executive Director for calendar years 2006 through 2013.

Year	Number of Trips	Total Expense
2006	23	\$9,696
2007	15	\$4,004
2008	11	\$4,479
2009	7	\$1,181
2010	8	\$2,543
2011	7	\$1,982
2012	6	\$1,335
2013	7	\$2,511

Source: WV State Auditor's Office.

The previous report also found that the Board was providing food and transportation for students attending the National Youth Science Camp.

The Legislative Auditor finds the Board to be in compliance with Recommendation 4 of the previous report.

Recommendation 5

The Legislative Auditor recommends that the Board discontinue hospitality and entertainment expenditures related to the promotion of engineering.

Level of Compliance: In Compliance

The previous report also found that the Board was providing food and transportation for students attending the National Youth Science Camp. The report recommended that the Board discontinue hospitality and entertainment expenditures related to the promotion of engineering. The Board stated that it has complied with this recommendation and no longer provides these services. The Legislative Auditor's staff reviewed data available from the State Auditor's Office and did not find any instances of catering, food, or other hospitality expenses outside of Board meetings and out-of-town travel. As a result, the Legislative Auditor finds the Board to be in compliance with Recommendation 5.

Conclusion

The Board has complied with three of the four recommendations from the 2007 report. The Board has not complied with the recommendation to discontinue requiring complaints to be notarized. The fundamental purpose of licensing boards are to protect the public and the Legislative Auditor believes this require does not add any additional layers of protection for the public. In fact, due to the relatively low number of complaints filed, the requirement for complaints to be notarized may serve to decrease public safety by serving to make filing a complaint more difficult.

Recommendation

7. *The Legislative Auditor recommends that the Board of Registration for Professional Engineers should comply with the previous recommendation and remove the requirement for complaints to be notarized.*

ISSUE 4

The Board's Website Is User-Friendly and Transparent and Only Needs Modest Improvement.

Issue Summary

The Legislative Auditor's Office conducted a literature review on assessments of governmental websites and developed an assessment tool to evaluate West Virginia's state agency websites (see Appendix D). The assessment tool lists several website elements. Some elements should be included in every website, while other elements such as social media links, graphics and audio/video features may not be necessary or practical for state agencies. Table 13 indicates that the Board integrates 74 percent of the checklist items in its website. This measure shows that the Board website is both user-friendly and transparent but modest improvements could still be made.

Substantial Improvement Needed	More Improvement Needed	Modest Improvement Needed	Little or No Improvement Needed
0-25%	26-50%	51-75%	76-100%
		74%	
<i>Source: The Legislative Auditor's review of the Board's website.</i>			

The Board's Website Scores Well In Both User-Friendliness and Transparency

In order for citizens to engage with a board online, they should be able to gain access to the website and to comprehend the information posted there. A user-friendly website employs up-to-date software applications, is readable, well-organized and intuitive, provides a thorough description of the organization's role, displays contact information prominently and allows citizens to understand the organization of the board. Governmental websites should also include budget information and income sources to maintain transparency and the trust of citizens. The Legislative Auditor reviewed the Board's website for both user-friendliness and transparency. As illustrated below in Table 14, the website is both user-friendly and transparent but modest improvements could be made. **The Board should consider making website improvements to provide a better online experience for the public and for its registrants.**

Table 14
Website Evaluation Score

Category	Possible Points	Agency Points	Percentage
User-Friendly	18	13	72%
Transparent	32	24	75%
Total	50	37	74%

Source: Legislative Auditor's review.

The Board's Website Is Navigable But Could Use Additional User-Friendly Features

The reading level of the text on the website makes it difficult for the average citizen to understand. The Board's website readability is at the 10th grade reading level. A report done by the Brookings Institute determined that government websites should be written at an 8th grade reading level to facilitate readability. Readable, plain language helps the public find information quickly, understand the information easily and use the information effectively. The Board's website has a search tool and help link displayed on every page, along with a site-map and FAQ section. Every page also has a navigation bar at the top of the page. These features allow website users to easily navigate the page, search for information they may need, and find answers to their questions.

The reading level of the text on the website makes it difficult for the average citizen to understand.

User-Friendly Considerations

The following are three attributes that could lead to a more user-friendly Board website:

- **Site Functionality** – The website should include buttons to adjust the font size, and resizing of text should not distort site graphics or text.
- **Social Media Links** - The website should contain buttons that allow users to post an agency's content to social media pages such as Facebook and Twitter.
- **RSS Feeds** - RSS stands for "Really Simple Syndication" and allows subscribers to receive regularly updated work (i.e. blog posts, news stories, audio/video, etc.) in a standardized format.

The Board does not have elements such as the ability change the size of text, links to allow users to post information to social media pages, and RSS feeds to allow subscribers to receive regular updates. The Board's website does allow users to translate pages into information other than English, but the link was not clearly identifiable. The absence of these elements lower the Board's overall user friendliness score but are not essential for the Board to convey the Board's role and does not impede public from finding information.

The Website Is Transparent With Some Room For Improvement

A website that is transparent will have elements such as email contact information, the location of the agency, the agency's phone number, as well as public records, the budget and performance measures. A transparent website will also allow for citizen engagement so that their government can make policies based on the information shared. The Website Criteria Checklist and Points System (see Appendix D) demonstrates that the Board's website has 22 of 32 core elements that are necessary for a general understanding of the Board. The Board's home page has the Board office's email and physical address as well as its telephone number. Additionally, all Board member names and most of their telephone numbers are on the homepage. This allows citizens to locate the information necessary to communicate with the Board. The Board also has pertinent public information on its website including its enabling statute, governing rules and disciplinary actions it has taken against registrants. The Board website also has several years of meeting minutes and links to budget data.

The Board's website does allow users to translate pages into information other than English, but the link was not clearly identifiable.

Transparency Considerations

Several other elements could be added to improve the website's transparency score. The following are a few attributes that could be beneficial to the Board in increasing its transparency:

- **Mapped Location of Board Office-** The Board's contact page should include an embedded map that shows the Board's location.
- **Administrator Biographies-** A biography explaining the administrator(s) professional qualifications and experience.
- **Website Updates-** The website should have a website update status on screen and ideally for every page.

While the Board does have information on its website detailing the complaint process, users cannot submit a complaint online and the Board requires all complaints to be notarized. The Board could also include information detailing when the website has been updated on each screen and an embedded map showing the Board's location. Based on the results of this website evaluation, **the Legislative Auditor recommends that the Board make modest improvements to its website to increase user-friendliness and transparency.**

Conclusion

Overall the Board's website scores well in both user-friendliness and transparency. While user's can find most needed information such as a list of registrants, meeting minutes, and contact information adding other elements could improve the websites user-friendliness and transparency scores.

Recommendation

8. *The Legislative Auditor recommends that the Board of Registration for Professional Engineers make modest improvements to its website to increase user-friendliness and transparency.*

Appendix A Transmittal Letter

WEST VIRGINIA LEGISLATURE *Performance Evaluation and Research Division*

Building 1, Room W-314
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0610
(304) 347-4890
(304) 347-4939 FAX



John Sylvia
Director

December 23, 2013

Leslie L. Rosier-Tabor, Executive Secretary
West Virginia State Board of Registration for Professional Engineers
300 Capitol Street – Suite 910
Charleston, WV 25301

Dear Mrs. Rosier-Tabor:

This is to transmit a draft copy of the Performance Review of the West Virginia Board of Registration for Professional Engineers. This report is scheduled to be presented during the January 5-7, 2014 interim meetings of the Joint Committee on Government Operations, and the Joint Committee on Government Organization. We will inform you of the exact time and location once the information becomes available. It is expected that a representative from your agency be present at the meeting to orally respond to the report and answer any questions the committees may have.

As discussed, our exit conference is currently scheduled for 9 a.m., December 30, 2013. Please inform us if anything should change. In addition, we need your written response by noon on December 31, 2013 in order for it to be included in the final report. If your agency intends to distribute additional material to committee members at the meeting, please contact the House Government Organization staff at 340-3192 by Thursday January 2, 2014 to make arrangements.

We request that your personnel not disclose the report to anyone not affiliated with your agency. Thank you for your cooperation.

Sincerely,


John Sylvia

Enclosure

Joint Committee on Government and Finance

Appendix B

Objectives, Scope and Methodology

The Performance Evaluation and Research Division (PERD) within the Office of the Legislative Auditor conducted this Regulatory Board Review of the West Virginia Board of Registration for Professional Engineers as required and authorized by the West Virginia Performance Review Act, Chapter 4, Article 10, of the *West Virginia Code*, as amended. The purpose of the Board of Professional Engineers, as established in *West Virginia Code* §30-13, is to protect the public through its license process, and to be the regulatory and disciplinary body for professional engineers throughout the state.

Objectives

The objectives of this review are to determine the Board's compliance with the general provisions of Chapter 30, Article 1 of the *West Virginia Code*, the Board's enabling statute (WVC §30-13), and other applicable rules and laws. This review also determines the Board's compliance with recommendations made in a previous PERD report from 2007. Finally, it is the objective of the Legislative Auditor to assess the Board's website for user-friendliness and transparency.

Scope

The evaluation included a review of the Board's internal controls, policy and procedures, meeting minutes, complaint files from 2011 to 2013, complaint-resolution process, disciplinary procedures and actions, revenues and expenditures for the period of 2011 to 2013, continuing education requirements and verification, the Board's compliance with the general statutory provisions (WVC §30-1) for regulatory boards and other applicable laws, and key features of the Board's website. In areas that we noticed an issue, such as employee compensation, the scope was expanded to FY 2009.

Methodology

PERD gathered and analyzed several sources of information and conducted audit procedures to assess the sufficiency and appropriateness of the information used as audit evidence. The information gathered and audit procedures are described below.

Testimonial evidence gathered for this review through interviews with the Board's staff or other agencies was confirmed by written statements and in some cases by corroborating evidence. PERD collected and analyzed the Board's complaint files, meeting minutes, annual reports, budget information, procedures for investigating and resolving complaints, and continuing education. This information was assessed against statutory requirements in §30-1 and the Board's enabling statute to determine the Board's compliance with such laws. Some information was also used as supporting evidence to determine the sufficiency and appropriateness of the overall evidence.

The Legislative Auditor reviewed the Board's revenues. In order to obtain reasonable assurance that revenue figures were sufficient and appropriate, PERD evaluated the correlation between the Board's revenue and the number of licensees for 2013. The Legislative Auditor found the correlation between the Board's revenue and the number of licensees is consistent. Therefore, revenue figures were judged to be sufficient and appropriate.

The Legislative Auditor tested the Board's expenditures for 2012. The test involved determining if verifiable expenditures were at least 90 percent of total expenditures. Verifiable expenditures include: salaries, travel reimbursement, board-member compensation, insurance, office rent and utilities, printing and binding

costs, rental fees, and telecommunication costs. The Legislative Auditor determined that during the scope of the review, verifiable expenses were 92 percent of total expenditures. This percentage gave reasonable assurance that the risk of fraud was at a satisfactory level with regards to expenditures.

To determine the Board's compliance with previous recommendations this reports makes use of information obtained from the West Virginia State Auditor's Office VISTA website and the Transparency West Virginia website. This report also utilizes data obtained from the State's Financial Information Management System.

In order to evaluate state agency websites, the Legislative Auditor conducted a literature review of government website studies, reviewed top-ranked government websites, and reviewed the work of groups that rate government websites in order to establish a master list of essential website elements. It is understood that not every item listed in the master list is to be found in a department or agency website because some of the technology may not be practical or useful for some state agencies. Therefore, the Legislative Auditor compared the Board's website to the established criteria for user-friendliness and transparency so that the Board's can determine if it is progressing in step with the e-government movement and if improvements to its website should be made.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Appendix C Board Fee Schedule

Fundamentals of Engineering Exam (FE or Engineering Intern Exam)	
Application Fee	(\$25.00)
Examination Fee	(\$55.00) As charged by NCEES
TOTAL COST to sit for 1st time FE Exam or to file full new application package if last was over 2 years old (one check to be included in application package)	\$80.00
Re-application Fee	(\$20.00)
Re-examination Fee	(\$55.00) As charged by NCEES
TOTAL COST to sit for repeat FE Exam if last full new application package was received less than 2 years ago (one check to be included in application package)	\$75.00
Professional Engineer Exam (PE Exam)	
Application Fee	(\$80.00)
Examination Fee	(\$165.00) As charged by NCEES
Structural Specialty Exams	As charged by NCEES (CALL FOR DETAILS)
TOTAL COST to sit for 1st time PE Exam or to file full new application package if last was over 2 years old (one check to be included in application package)	\$245.00
Re-application Fee	(\$40.00)
Re-examination Fee	(\$165.00) As charged by NCEES
TOTAL COST to sit for repeat PE Exam if last full new application package was received less than 2 years ago (one check to be included in application package)	\$205.00
Comity / Reciprocity - Professional Engineer	
Comity/Reciprocity Application Fee	\$150.00
Reinstatement - Professional Engineer	
Reinstatement Application Fee	\$125.00
Annual Renewal Fee***	
Professional Engineer	\$40.00
Professional Engineer - Retired	\$25.00
COA for Sole Proprietor with no employees	\$0.00
COA for Firm with three or fewer Professional Engineers*	\$50.00
COA for Firm with four or more Professional Engineers*	\$300.00

Certificate of Authorization - Company COA	
FIRST APPLICATION	
COA Application Fee for Sole Proprietor with no employees	\$0.00
COA Application Fee for Firm with three or fewer Professional Engineers*	\$100.00
COA Application Fee for Firm with four or more Professional Engineers*	\$150.00
REINSTATEMENT APPLICATION	
COA Reinstatement Application Fee for Sole Proprietor with no employees	\$0.00
COA Reinstatement Application Fee for Firm with three or fewer Professional Engineers*	\$200.00
COA Reinstatement Application Fee for Firm with four or more Professional Engineers*	\$600.00
Miscellaneous	
PE or COA Roster**	\$25.00
Seal Registration Fee	\$25.00
Replacement Certificates	\$25.00
Return Check Fee	\$25.00

Appendix D

Website Criteria Checklist and Points System

Website Criteria Checklist and Points System			
State Board of Registration For Professional Engineers			
User-Friendly	Description	Total Points Possible	Total Agency Points
Criteria	The ease of navigation from page to page along with the usefulness of the website.	18	13
		Individual Points Possible	Individual Agency Points
Search Tool	The website should contain a search box (1), preferably on every page (1).	2 points	2 points
Help Link	There should be a link that allows users to access a FAQ section (1) and agency contact information (1) on a single page. The link's text does not have to contain the word help, but it should contain language that clearly indicates that the user can find assistance by clicking the link (i.e. "How do I...", "Questions?" or "Need assistance?")	2 points	2 points
Foreign language accessibility	A link to translate all webpages into languages other than English.	1 point	1 point
Content Readability	The website should be written on a 6 th -7 th grade reading level. The Flesch-Kincaid Test is widely used by Federal and State agencies to measure readability.	No points, see narrative	
Site Functionality	The website should use sans serif fonts (1), the website should include buttons to adjust the font size (1), and resizing of text should not distort site graphics or text (1).	3 points	1 point
Site Map	A list of pages contained in a website that can be accessed by web crawlers and users. The Site Map acts as an index of the entire website and a link to the department's entire site should be located on the bottom of every page.	1 point	1 point
Mobile Functionality	The agency's website is available in a mobile version (1) and/or the agency has created mobile applications (apps) (1).	2 points	1 point
Navigation	Every page should be linked to the agency's homepage (1) and should have a navigation bar at the top of every page (1).	2 points	2 points
FAQ Section	A page that lists the agency's most frequent asked questions and responses.	1 point	1 point

Website Criteria Checklist and Points System			
State Board of Registration For Professional Engineers			
Feedback Options	A page where users can voluntarily submit feedback about the website or particular section of the website.	1 point	1 point
Online survey/poll	A short survey that pops up and requests users to evaluate the website.	1 point	1 point
Social Media Links	The website should contain buttons that allow users to post an agency's content to social media pages such as Facebook and Twitter.	1 point	0 points
RSS Feeds	RSS stands for "Really Simple Syndication" and allows subscribers to receive regularly updated work (i.e. blog posts, news stories, audio/video, etc.) in a standardized format.	1 point	0 points
Transparency	Description	Total Points Possible	Total Agency Points
Criteria	A website which promotes accountability and provides information for citizens about what the agency is doing. It encourages public participation while also utilizing tools and methods to collaborate across all levels of government.	32	24
		Individual Points Possible	Individual Agency Points
Email	General website contact.	1 point	1 point
Physical Address	General address of stage agency.	1 point	1 point
Phone Number	Correct phone number of state agency.	1 point	1 point
Location of Agency Headquarters	The agency's contact page should include an embedded map that shows the agency's location.	1 point	0 points
Administrative officials	Names (1) and contact information (1) of administrative officials.	2 points	2 points
Administrator(s) biography	A biography explaining the administrator(s) professional qualifications and experience.	1 point	0 points
Privacy policy	A clear explanation of the agency/state's online privacy policy.	1 point	1 point

Website Criteria Checklist and Points System			
State Board of Registration For Professional Engineers			
Public Records	<p>The website should contain all applicable public records relating to the agency's function. If the website contains more than one of the following criteria the agency will receive two points:</p> <ul style="list-style-type: none"> • Statutes • Rules and/or regulations • Contracts • Permits/licensees • Audits • Violations/disciplinary actions • Meeting Minutes • Grants 	2 points	2 points
Complaint form	A specific page that contains a form to file a complaint (1), preferably an online form (1).	2 points	1 point
Budget	Budget data is available (1) at the checkbook level (1), ideally in a searchable database (1).	3 points	3 points
Mission statement	The agency's mission statement should be located on the homepage.	1 point	1 point
Calendar of events	Information on events, meetings, etc. (1) ideally imbedded using a calendar program (1).	2 points	2 points
e-Publications	Agency publications should be online (1) and downloadable (1).	2 points	2 points
Agency Organizational Chart	A narrative describing the agency organization (1), preferably in a pictorial representation such as a hierarchy/organizational chart (1).	2 points	2 points
Graphic capabilities	Allows users to access relevant graphics such as maps, diagrams, etc.	1 point	1 point
Audio/video features	Allows users to access and download relevant audio and video content.	1 point	1 point
FOIA information	Information on how to submit a FOIA request (1), ideally with an online submission form (1).	2 points	1 point
Performance measures/outcomes	A page linked to the homepage explaining the agencies performance measures and outcomes.	1 point	0 points
Agency history	The agency's website should include a page explaining how the agency was created, what it has done, and how, if applicable, has its mission changed over time.	1 point	1 point
Website updates	The website should have a website update status on screen (1) and ideally for every page (1).	2 points	0 points

Website Criteria Checklist and Points System**State Board of Registration For Professional Engineers**

Job Postings/links to Personnel Division website	The agency should have a section on homepage for open job postings (1) and a link to the application page Personnel Division (1).	2 points	0 points
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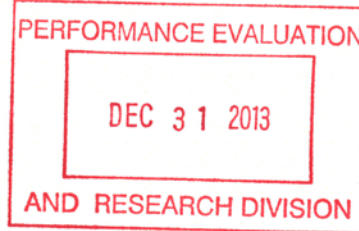
Appendix E Agency Response



**West Virginia State Board of Registration
for Professional Engineers**

304-558-3554 Phone
304-558-6232 Fax
800-324-6170 Toll Free

www.wvpebd.org



December 31, 2013

Mr. John Sylvia, Director
Performance Evaluation and Research Division
West Virginia Legislature
Building 1, W-314
1900 Kanawha Boulevard East
Charleston, WV 25305

Dear Mr. Sylvia:

This letter comes to you on behalf of the West Virginia State Board of Registration for Professional Engineers in response to the Regulatory Board Evaluation concerning our agency received via email the afternoon of December 23, 2013. In this letter, we often will refer to ourselves as “the Board” or the “WV PE Board.”

First and foremost, we would like to take this opportunity to thank Mr. Michael Midkiff and Mr. Michael Castle for their time, professionalism and diligence in conducting the performance evaluation of our Board. Our Board views all communications with other government agencies as an opportunity to learn and improve our operations to better serve our engineering community and the citizens of West Virginia.

After a thorough review of this Board’s evaluation by the Legislative Performance Evaluation and Research Division (PERD) and the exit conference held on Monday, December 30th, at your office, the Board appreciates the opportunity to present the following responses with respect to each of the outlined findings and recommendations:

Issue 1: The West Virginia Board of Registration for Professional Engineers Should Be Continued and Complies With Most of the General Provisions of Chapter 30 of the West Virginia Code.

The Board Should Be Continued

The Board concurs and would add that engineering licensure serves the public interest by protecting it not only from the actions of incompetent, negligent or unethical engineers, but from non-engineers and non-licensees who attempt to practice engineering in this state. Unlike many other learned professions, engineering graduates are not required to become licensed Professional Engineers in order to work in the engineering field. Therefore, engineering graduates are not prescribed by the Professional Engineers’ strict code of professional conduct, which primarily requires them to practice engineering in a manner that protects the health, safety and welfare of the public.

The Board Has Complied With Most Chapter 30 Requirements

The Board concurs and appreciates the thorough review by your Division to ensure Chapter 30 Code requirements have been met.

The Board Is Financially Self-Sufficient

The Board concurs and appreciates the thorough review by your Division to ensure our Board is financially self-sufficient.

The Board Generally Resolves Complaints Within Mandated Timeframes

The Board concurs and remains ever cognizant of the importance of efficiently processing complaints to resolution in order to best protect the health, safety and welfare of the public.

The Board Has Established Continuing Education Requirements

The Board concurs and appreciates the thorough review by your Division to ensure our continuing education guidelines are in line with neighboring jurisdictions.

The Board Should Consider Requiring Applicants to Submit a Sealed, FBI Criminal History Background Check

The Board agrees to study the issue and appreciates the Division's acknowledgement that this requires statutory authority and other groundwork for instituting such a requirement. The Board does currently require each applicant to complete a notarized disclosure where they are to report any misdemeanors, felonies or disciplinary actions by local, state or national bodies as well as reporting any licensure denials in other jurisdictions.

The Board Could Improve Its Internal Controls

The Board concurs and appreciates the specific direction provided by your five best steps in an ideal internal control system. Within a few hours of reviewing the initial draft report, the Board Administrator and Executive Director modified two simple office procedures so that no one Board employee is involved in more than one or two steps of the process by (1) changing one of individuals who open the mail and (2) changing where the locked cash box is stored for safeguarding. Below are the details of the new segregation of duties:

- Step 1 – Receipt of revenues will be handled by both administrative assistants.
- Step 2 – Recording of revenues received will be handled by the administrator.
- Step 3 – Safeguarding revenues received will be handled by the executive director.
- Step 4 – Depositing revenues received will be handled by the administrator.
- Step 5 – Reconciling revenues received will be handled by one of the administrative assistants.

The Board also concurs that receiving remaining initial registration fees, fines and other types of revenue online would be beneficial both to further reduce the risk of loss and to make staff available for other duties. As noted in the Legislative Auditor's findings, the majority of the agency's revenue is already collected online during payment of individual and company renewal fees. However, we have come to realize there may always be a need for some paper payments due to current situations we have been presented with such as:

- Licensees who are victims of identity theft and have been counseled by their attorneys to never enter personal or financial information on a computer platform again.

- Licensees whose company accounting departments do not allow their fee payments to be made online and require a paper check to be cut.
- Licensees who do not have a credit or debit card and can only pay by cash, check or money order.

However, and as briefly discussed in our initial entrance conference on July 27, 2013, efforts have been initiated to obtain updated licensure software that would allow for a fully-automated online application process and online payment of application filing fees and fines. Staff members have attended several presentations by licensure software vendors during the past six months, and information regarding purchasing guidelines, the RFP process and the RFQ process has been obtained from the WV Division of Purchasing.

There is a common need among many of the licensing boards and commissions to obtain updated licensure software, since we all have the same end goal of improving our licensure software systems to allow for electronic processing of applications, tracking of enforcement efforts, and online payment of application filing fees and fines. The Association of Licensing Boards is actively supporting our collective effort to address this need in a coordinated manner in order to not duplicate work, to share ideas, and to work with the WV Office of Technology staff to ensure all proper procurement procedures are followed.

The Board's new Investigator has extensive knowledge and expertise in the area of computer information systems and, as one of his job duties, is leading this Board's efforts to bring our system up-to-date by procuring a state-of-the-art licensing management system. We hope this budgeted goal is realized in the upcoming year.

Issue 2: Opportunities Exist for the Board to Reduce Operational Costs and Thus Lower Registration Fees.

The Board Could See Cost-Savings by Increasing Its Use of Email Communications with Registrants

The Board concurs that email communication results in cost-savings and is absolutely necessary. It is the primary means by which staff communicates on a daily basis, often responding to and sending dozens of emails per day.

The Board currently performs all of its own in-house printing for all communications to agency stakeholders with the exception of two major mailings each year: (1) the annual renewal notification that is statutorily required to be sent to the last known address at least one month prior to expiration (W. Va. Code § 30-13-18) and (2) the agency's annual newsletter. Of the total printing costs outlined in Table 8 of the Legislative Auditor's Report, these two large mailings cost on average \$11,000 - \$12,000 in printing per year (approximately 60% of the printing costs noted in Table 8 of the Legislative Auditor's report). More information on each of these mailings is provided below.

All other mailings are printed in-house, including daily correspondence that cannot be accomplished via email such as official correspondence to first-time licensees and COA holders, official wall certificates and wallet cards to new licensees, official exam results to examinees,

and certified mail such as notifications to licensees whose license has lapsed or been invalidated and complaints sent to respondents as part of the Board's procedural due process.

Of the total printing costs outlined in Table 8 of the Legislative Auditor's Report, the two large mailings cost on average \$11,000 - \$12,000 in printing per year (approximately 60% of the printing costs noted in Table 8 of the Legislative Auditor's report). Below is additional information on these two mailings:

1. **The annual renewal mailing** required by statute is sent out to nearly 10,000 PE licensees and company COA holders. Approximately 8 to 10 years ago this mailing went from a full renewal mailing to a postcard-type piece simply directing the recipient's attention to the Board website. Thousands of periodic renewal reminders are sent via mass email to all non-respondents at the time of the email near the end of the regular renewal season and the end of each month prior to an increase in late fees. However, we still receive on average 500-600 requests per year for a paper form to renew or go to Inactive status.
2. **The annual newsletter mailing** is sent out to nearly 13,000 PE licensees, Retired PEs and company COA holders (including recently lapsed and inactive licensees), other West Virginia licensing boards, the NCEES boards in other states, and interested others, including building and fire code officials in West Virginia. For over a decade, the newsletter has been mailed in February of each year to an appreciative audience. More importantly, it has proved invaluable to both the registrant and the Board in preparing for the annual renewal season. Staff starts preparing for renewal in early spring, utilizing the updates prompted by the cover letter included in each registrant's newsletter containing his or her personalized status report with the information then on file with the Board, including the registrant's primary address, employer, email addresses, and the most recently claimed continuing education and any carryover hours for the upcoming renewal season. The friendly reminder for them to update any information within 30 days ensures uninterrupted Board service and guarantees the changes will be reflected on the upcoming renewal. As a result, the Board receives several hundred updates which are crucial to maintaining a clean database and providing efficient service to our licensees.

In conclusion, the Board reviews printing and postage costs each year when preparing annual budgetary documents and has found that to meet the current needs and desires of its licensees and other stakeholders, the two major mailings remain a reasonable and necessary expense, producing a good return on the investment.

The Board Significantly Increased an Investigator's Salary Three Years Prior to Retirement

The Board concurs that the Board Investigator's salary increased 3.5 years ago, in July 2010, but notes that the increase was due to a commensurate increase in hours. The Board Investigator's FTE increased from 0.50 to 0.75 FTE, a change in 20 hours per week of work to 30 hours per week of work. This increase in hours was reasonable and necessary in order for the Investigator to meet a workload that cannot be measured simply by looking at the number of complaints being processed before and after the increase.

In addition to a myriad of administrative duties, the Investigator, then and now, deals with a large number of calls, including anonymous tips, and investigates a number of matters (referred to as “inquiries”) that often require a large amount of research and investigation even though many do not result in the formal complaints shown in Tables 9 and 12 of the report.

The Board has no control over when an employee chooses to retire and certainly no control over health-related issues, which in part explains the decision of its Investigator to retire early in 2014. However, the Board is confident that circumstances guided the retirement decision and would like the Division to be aware of some of those circumstances with regard to this dedicated employee:

- The Board Investigator was in a position of ‘use it or lose it’ in FY08 with regard to accumulated leave. With his priority always being to get his job done, he did not use any annual leave until July 2007, nearly 4 years after his start date. Obviously, the Investigator needed to be paid for more hours if he would ever allow himself to take his earned leave.
- At the time of the increase to 0.75 FTE, the Board Investigator did not have a plan to retire and in fact had voiced his intention to stay on at least through 2014. However, health-related issues beginning in the spring of 2013 had him considering the possibility of leaving earlier, but only after training a successor. Prior to July of 2013, the Board Investigator had never used one hour of his earned sick leave in his ten years of employment.
- The Board appreciates the ten years of investigative work performed by this exemplary employee. He created the current enforcement program, which is lauded by other states’ engineering boards. His devotion to this Board is continuing with his commitment to training the Board’s new Investigator in order to ensure a solid transition in this most important role of assisting the agency with protecting the health, safety and welfare of the public.

The Board Should Reexamine the Need for a Full Time Investigator

The Board agrees to evaluate its new full-time investigator and to report back to the Joint Committee on Government Organization upon request. However, the Board is confident that the full-time position is reasonable and necessary and offers the following additional information in justification of the new full-time position.

Table 9 correctly shows that 25 formal complaints were processed in FY10. This also corresponds with the time in which the Board Investigator went from 0.5 to 0.75 FTE. In FY11, only 11 formal complaints were processed, increasing to 14 in FY12. However, formal complaints do not tell the whole story, as noted above, and there were many opportunities for education and investigation that were not being conducted due to the part-time nature of the position being insufficient. Many of these activities were included in the attached 3-page job description utilized in filling the Investigator position.

As the Board contemplated hiring a new Board Investigator, much discussion took place amongst staff and the current Board Investigator about the future of our enforcement program. Prior to our Board Investigator being hired in 2003, the Board’s enforcement program was basically operating on minimal resources and was limited almost exclusively to third-party complaints. However, as noted on Table 11, the majority of complaints for some time have been

primarily Board-initiated complaints, which are usually the result of Investigator-driven information gathering, often as a result of anonymous information, computer research, or in-the-field communications and plan reviews. Perhaps the ratio of third-party to Board-initiated complaints could again change. In the event the Board adopts the Division's recommendations to discontinue the verification requirement and provide for the on-line submission of complaints, the Division may be correct that this will result in additional third-party complaints and additional work for the Investigator.

Some state engineering boards such as Kentucky and North Carolina have investigative and legal staff of 4 or more full-time individuals, with state-of-the-art tools and complaint tracking mechanisms.

As previously discussed, the new investigator is also charged with leading the Board's charge to procure new licensing software and to implement the new system, which will facilitate many of the Division's recommendations in other parts of this report.

In addition, the new Board Investigator will be cross-training in the coming months to assist with high traffic times in our office such as exam season and annual renewal. Again, as pointed out by the Legislative Auditor, the Board serves and monitors an ever-increasing number of licensees and companies with no increase in permanent staff during the last 10 years. As shown in Table 1, there has been nearly a 20% increase in registrants from 2008 to 2013 (from 9163 registrants to 10,963), but to go back the same 10 years, there has been an increase of almost 67% from 2003 to 2013 (from 7296 registrants to 10,963). The administrative duties to be assumed by the new Investigator justify increasing a 0.75 FTE to 1.0 FTE position.

Again, the Board is of the opinion that the hiring of a full-time investigator is reasonable and necessary to meet the near- and long-term goals of the Board in its enforcement program and overall mission. However, this will be reviewed during 2015, after which the Board welcomes further inquiry by the Joint Committee on Government Organization.

Issue 3: The Board Is in Compliance With Three Previous Recommendations and Disputes One Recommendation.

The Board Is in Compliance With Three Previous Recommendations

The Board concurs and appreciates the thorough review by your Division and its recognition of Board compliance with three of the four previous recommendations.

With regard to "Recommendation 2" – the Notarization of Complaints – the report states:

- **The Board disagrees with one previous recommendation and continues to require complaints to be verified by a notary public.**
- **Requiring complaints to be notarized does not add any additional protection to the public and may lead to a reduced number of complaints.**

The Board would like to clarify that it does not disagree with removing the notarization, but rather took no action to amend its procedural rule. This is based, in part, on the Board's perspective that the notary requirement does not inhibit anyone from providing information to the Board regarding possible violations. Our investigator reviews any and all incoming

information, even if anonymous, and opens an inquiry for any matter that warrants further investigation. The Board then has the authority to initiate a complaint if the conduct, if proven, would be a violate WV Engineering Law.

A formal complaint is a serious matter to a Professional Engineer. While the Board has the authority to dismissed complaints that are unfounded or trivial, the notarization requirement does underscore that the complaint needs to be filed in good faith and that the person filing is willing to voluntarily appear and testify to the facts in the complaint if called upon by the Board. This is likely one of the reasons that the WV Ethics Commission and other state licensing boards and commissions still require complaints to be notarized. The requirement also provides another safeguard; it verifies that the person filing the complaint is who they say they are and is not falsely or fraudulently filing the complaint under someone else's name in bad faith or with other ill intent toward the person named in the complaint.

Issue 4: The Board's Website Is User-Friendly and Transparent and Needs Modest Improvement.

The Board concurs and appreciates the specific direction provided by your tabular tool on assessments of governmental websites. Within a few hours of reviewing your draft report, the Executive Director took a few hours and made most of the minor modifications requested. A quick re-calculation of the Board's Website Evaluation Score now yields new scores of 16-17 out of 18 (89-94%) in user-friendliness and 29 out of 32 (91%) for a total of 45-46 out of 50 (90-92%) by our calculation. The following modifications were made:

- An interactive map can now be found on our "Contact Us" page.
- While basic curricula vitae information existed for all Board Members and Board Staff, you may now review more detailed biographies on all Board staff which include their professional qualifications and experience.
- A website update status is now available on screen showing when the last updates were made on each page.
- While a link for Translation Resources and Google Language Tools already existed on our website under the "International Issues" link, we have now highlighted the webpage translation link on our website calling it "Multilingual Support". This link automatically translates the Board's webpages into Spanish but will allow users to select from over 80 other languages to be seen with a click of a button.
- The website allows for multiple methods to adjust the font size and resize the text without distorting site graphics or text. Simply select the Adjust Font Size / Zoom In link on our website.
- The open Job Postings section of our website was a hidden link under "Special Announcements" block on the center of our home page and has only been turned on 3 times during the existence of our website in the last 11 years. However, based on the metric, we reposted the link simply to show no current openings and a link to the Department of Personnel for information on other state positions.

Although no changes were made to the following, the Board notes that the following items have and continue to be available and appear to meet the metrics in question on the Website Criteria Checklist and Points System used:

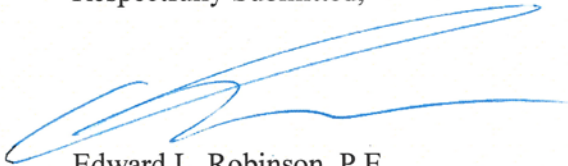
- The agency's website is not available in a mobile version but staff has made sure that the website has full functionality on mobile devices. You can view all pages, download view application materials, verify a licensee, and review the agendas, meeting minutes, annual reports and other documents without special mobile applications.
- The agency website also allows for Social Media interaction regarding our national examinations, exam score notifications, upcoming computer-based testing updates, etc. by links to Facebook, Twitter, LinkedIn, YouTube channels and RSS feeds set up by NCEES as a tool for the engineering community and public at large.

CONCLUSION

Thank you for the opportunity to provide this response to the PERD audit of this agency. While we respectfully disagree with PERD's findings regarding the increase in the salary and hours of the Board Investigator, we appreciate PERD's acknowledgement of the good work accomplished by our agency. We are confident that the West Virginia State Board of Registration for Professional Engineers will continue to strive for excellence and provide the best service possible to our engineering community and the citizens of this state.

The WV PE Board looks forward to the opportunity to meet with the Joint Committee on Government Operations and the Joint Committee on Government Organization on Tuesday, January 7, 2014. The Board President hopes to be joined by other Board members, in addition to Board Counsel from the Attorney General's Office, to answer any questions the members may have following your presentation of the PERD report.

Respectfully Submitted,



Edward L. Robinson, P.E.
Board President



Lesley L. Rosier-Tabor
Executive Director

WV STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS

BOARD INVESTIGATOR

Nature of Work

Under the general supervision of the Executive Director, administers the Board's enforcement of WV Engineering Law (W. Va. Code 30-13-1 *et seq* and Board Rules, including the Rules of Professional Responsibility).

Responsibilities

All staff assist with the Board's Law Enforcement Program. The Board investigator takes primary responsibility for (1) investigating complaints and other matters that come to the attention of the Board; (2) performing annual continuing education audits, as well as assisting with monitoring other licensure requirements; and (3) actively participating in every PE Board meeting.

Regarding investigations:

- Works independently, with the advice of the Attorney General's office (Board Counsel), or with such other consultants, experts, staff or Board members as may be necessary or as the Board President or Executive Director directs.
- Receives anonymous information regarding licensees and unlicensed practice, ascertains credibility, and pursues matters within the jurisdiction of the Board.
- Reviews all renewals for self-reported matters that may require further investigation.
- In consultation with the Executive Director, determines a recommended action for all investigations, presenting to the Board as necessary for possible disciplinary action.
- Reviews the National Council of Examiners for Engineering and Surveying (NCEES) enforcement exchange database for disciplinary action of WV licensees in other jurisdictions and consult with counterpart in other states' P.E. licensing boards.
- Reviews the published telephone yellow pages, internet sites or other advertisements for firms listed under engineering headings that are advertising offers to practice engineering. With the Executive Director, determines if they are qualified and if they have a Certificate of Authorization (COA). Takes steps deemed necessary to establish compliance with the Licensure Law, if qualified, and/or take action to delete the advertising if not qualified, both of which may include disciplinary action.
- Visits local public agencies such as municipal and county planning & zoning offices and other permitting agencies that require sealed engineering drawings to determine if there are any issues the Board needs to address.
- Search public records relative to engineering projects.
- Visits plan rooms to review current projects for proper licensure and COA certification.

Regarding complaints:

- Works independently, with the advice of the Attorney General's office (Board Counsel), or with such other consultants, experts, staff or Board members as may be necessary or as the Board President or Executive Director directs.
- Knows and follows Board procedure in connection with Third-Party and Board-Initiated Complaints, and investigates all complaints throughout the process.

- Maintains good record-keeping about each complaint and complaints generally for purposes of annual report to the Governor, newsletter roster, Board meetings,
- In consultation with the Executive Director, determines a recommended action regarding all complaints.
- Assists Board Counsel with settlement negotiations.
- For matters noticed for hearing, works with Board Counsel to prepare all aspects of hearing and usually provides sworn testimony (testifying under oath on behalf of the Board) at hearing.
- Reports all disciplinary matters to NCEES enforcement exchange database.

Regarding continuing education audits and other licensure requirements:

- Under the direct supervision of the Executive Director, assists staff in administering the continuing education program and annual verification of professional development hours (PDHs) of licensees, requiring audits of percentage of renewal applications.
- Assists the Executive Director in determining any action to be taken on these matters.
- Reviews new/existing Certificates of Authorization (COAs) to ensure that all firms have a qualified engineer-in-responsible-charge and to assume firms are otherwise compliant with COA matters and, if non-compliant, follows up as necessary.
- Assists as needed in the review of applications for Engineer Intern, Professional Engineer and requests for comity. Follows up on any circumstance requiring additional investigation such as prior license suspensions, civil/criminal convictions or offers to practice prior to obtaining licensure.

Regarding investigator's role at Board meetings:

- Assists with meeting preparation, including agenda and preparation of Board materials for their prior review.
- Attends all Board meetings and presents items regarding law enforcement and disciplinary action.
- Takes meeting minutes, prepares draft minutes immediately following the Board meeting and itemizes action items and who is responsible for the same.
- Follows up to ensure that all Board actions are accomplished in a timely fashion.
- Assists Executive Director with arrangements for and follow-up from Board Meetings, including legal notices, agenda development, Investigators Summary and draft meeting minutes.
- Assists Executive Director with presentations to engineering students, faculty, licensees, company representatives, associations and other regulatory Boards.
- Travels both in-state and out-of-state to various meetings, conference and trainings including but not limited to Zone and National NCEES meetings, FARB, CLEAR, etc.

Other administrative duties:

- When appropriate, prepares correspondence, handles enforcement-related and other telephone calls.
- Makes recommendations to improve examination, office and data security.

- Assist in overall administrative duties with other staff members as required and particularly during peak work periods, vacations/illnesses of other staff members, and perform other duties as necessary to support the Board.
- In the absence of the Executive Director, may be required to act in that capacity.
- May be assigned other duties by the Executive Director.

Miscellaneous Duties

Conducts trainings and seminars on WV Engineering Law.

Responds to FOIA requests regarding enforcement matters.

Stays apprised of licensing law of other WV licensing boards, as well as other states' P.E. Boards, and keeps track of recommended changes to WV Engineering Law.

Assists as necessary with legislative matters, including rule-making review process.

Knowledge, Skills and Abilities

- Knowledge of established and effective methods of investigation
- Knowledge of Chapter 30 Board requirements in addition to a general understanding of the WV Engineering Law (W. Va. Code 30-13-1 *et seq* and Board Rules, including the Rules of Professional Responsibility).
- Knowledge of record-keeping practices and computerization of office functions, in particular experience with comprehensive databases is desired.
- Knowledge of Word, Excel, Powerpoint and other basic Microsoft Office software to satisfy responsibilities.
- Ability to work with people to ascertain facts by personal/telephone contact as well as observation/examination of records.
- Ability to effectively communicate in person or via telephone or mail with applicants, registrants and the general public
- Ability to write clear and concise reports.
- Ability to prepare written correspondence.
- Ability to effectively explain and interpret pertinent provisions of laws, codes of conduct and administrative rules and to recognize when legal counsel is warranted.
- Ability to work effectively as a team player with Board staff and counsel.
- Ability to exercise tact and courtesy when dealing with sensitive, confidential and possibly criminal activities.
- Ability to maintain confidentiality as required by law or as may be needed to further an investigation.
- Ability to perform limited legal research and legal filings.

Qualifications

Education: Bachelor's degree from an accredited four-year college.

Experience: A minimum of 5 years of prior experience in one or more of the following: engineering, government, administration, private investigation, legal practice or law enforcement is required.

Other: Availability to travel throughout WV to conduct investigations and continuing education and training; some out-of-state travel to regional and national meetings and investigative training course.



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