

LOUISIANA BOARD OF PROFESSIONAL GEOSCIENTISTS
9643 Brookline Ave., Baton Rouge, LA 70809



JOINT APPLICATION REVIEW/EXAMINATION COMMITTEE MEETING
Thursday, December 17, 2020, 1:00 p.m.
via ZOOM

MINUTES

Application Review Committee Chair Melanie Stiegler called the meeting to order at 1:03 pm and commenced roll call. Present were Application Review and Examination Review Committee members Stiegler, Elizabeth McDade, William Schramm, and David Williamson. Also present were Brenda Macon, LBOPG Executive Secretary, and Machel Hall, Assistant Attorney General and LBOPG legal counsel. No guests were present.

Examination Review Committee Chair David Williamson then read Rule 707 into the record:
Title 46, Professional and Occupational Standards, Part LXII Professional Geoscientists, Section 707
Application Review Process, D. Application Special Circumstances, item 1:

With the initial filing of an application or at any time that the application remains open, an applicant may request, in writing, licensure by the waiver of one or more qualifications for licensure. Upon written request and a showing of good cause, if the board determines that the applicant is otherwise qualified for a license, the board may waive a licensure requirement except for the payment of required fees.

Williamson then reported that two candidates had recently requested waivers to be exempt from taking the ASBOG Fundamentals of Geology (FG) and Practice of Geology (PG) exams. Stiegler asked Macon whether the Louisiana Board had ever created a document like the policies and procedures for waivers document that the Texas Board of Professional Geoscientists has produced. Stiegler explained that the Texas document provides detailed descriptions of specific circumstances and specific guidelines for waivers for each exam. Macon said the Louisiana Board has not yet created this guidance but such a policy is needed.

Stiegler then asked about the individuals who are requesting for these waivers. Williamson reported on the two candidates, relating that one application is complete but the other is still in process.

Schramm asked if the Texas Board had been contacted about these two candidates; Macon reported that a staff member with the Texas Board had discussed the two applications in general terms, acknowledging that both candidates were granted waivers from taking the ASBOG exams for the reasons outlined in the Texas Board's guidance document for such waivers and, upon approval of the waivers, had been granted Texas Professional Geoscientist licenses based on their other qualifications, including education and more than 20 years of experience. Discussion of the Texas Board's document ensued.

Discussion of the candidate who has submitted a completed application followed. The discussion focused on the reasons the waiver was granted in Texas. Macon reported that the Texas Board staff member verified that the candidate's application was approved primarily because of his more than 30 years of experience. Stiegler commented that the Texas document is weighted toward work experience in place of other requirements and said the decision was in line with the rules outlined in the policy. Discussion of the "specialized practice experience exemption" in the Texas document ensued, particularly in view of creating a Louisiana document. The consensus was that Louisiana is not Texas and does not necessarily have to follow the Texas policy.

Williamson suggested that, instead, he would like the candidate to take a practice exam and then to take one of the ASBOG exams. Stiegler asked him under what circumstances a waiver should be granted. Williamson stressed the "showing of good cause" statement in rule 707 and said any waiver should be based on this particular statement. He downplayed the use of years of experience as a basis for a waiver but lamented the lack of guidance currently available to the committee. He pointed out that many people take and pass the exams with much less experience than that of the candidate, so he does not feel that having many years of experience represents "good cause."

Discussion then turned to whether someone who takes the ASBOG exams and fails can then become licensed without taking the exams. The consensus was that the candidate would not be licensed.

McDade then asked if continuing education that the candidate has done would count toward evidence that the candidate was keeping current in the profession and, therefore, perhaps make him eligible for a waiver. The committee discussed this idea briefly.

Hall then pointed out that the current issue also brings up other questions regarding the Louisiana Board's policy development. Hall enumerated the four basic requirements for licensure: education, experience, examination, and references and asked the committee members if each of those requirements has a specific purpose or if the four requirements are interchangeable. She then asked them to consider what actually represents a "special circumstance" under this rule. Discussion of these two points ensued.

Schramm asked about the candidate's original request that the requirement that an applicant must have held a license in a reciprocal state for five years prior to applying for a license by reciprocity. Macon affirmed that was the candidate's original request, but a waiver based on that requirement would jeopardize the written reciprocity agreements that are already in place. She then asked if the candidate waited five years, now that he is licensed in Texas, if the Louisiana board would then grant him a license by reciprocity. The group agreed that it would because he would then meet all of their requirements. Williamson reminded the board that this candidate may be retired before that five years is up; the group discussed the importance of not considering age in granting or not granting licenses.

The discussion then turned to what qualities taking and passing the ASBOG exams bring to the licensing process. The group decided that taking the exams demonstrates breadth of knowledge and competency. Williamson pointed out, however, that learning is a lifelong process and again suggested that the candidate should take a practice exam to see how well he could do and should demonstrate his attempts maintain his education through attendance of presentations, conferences, and other learning opportunities. Again, the group cautioned that they would not be able to grant a license to someone who had failed the official ASBOG exam but felt comfortable with asking the candidate to take a practice exam to demonstrate his fundamental knowledge of geoscience.

Stiegler outlined the additional information the committee wants as it considers granting the candidate's request for a waiver. The candidate would be asked to submit:

- A written statement of "good cause" as stipulated in rule 707;
- An in-depth description of experience as substitution of examination;
- A log of five years of continuing education activities; and
- Proof of having taken a practice exam roughly equivalent to the ASBOG FG exam.

Stiegler then asked what kind of proof would be sufficient for the practice exam. Williamson explained that the company that had provided the candidate with study materials also offers practice exams. Hall then returned to what constitutes “good cause” and suggested other ways the candidate could provide this information. Discussion ensued, with Schramm suggesting that the ASBOG FG exam outline provides a means of conveying the breadth of knowledge necessary.

The committee members discussed the four items and decided that they would review the list of items prior to sending the request for additional information to the candidate. Macon suggested also including a link to the ASBOG site with the exam outline along with the request for additional information. The group agreed.

Schramm then asked if this request should come from the board instead of the committee; the group decided that this information is necessary prior to presenting a recommendation to the full board. The consensus was to send the request prior to the January meeting.

Stiegler said the discussion of the first candidate is done and asked if the second candidate had completed the application process. Macon reported that the second candidate has not yet completed the process; Stiegler then said that discussion of an incomplete application would not be appropriate, and the group ended the discussion.

Macon asked if the motion by Williamson to send a request for four additional items of information to the first candidate was still on the table. Stiegler agreed that it was and called for a second. McDade seconded. The motion passed.

Schramm asked how, if this candidate has been practicing in the state of Louisiana for many years, he has managed to sign off on projects. Macon reminded the group that the candidate addressed this during his interview at the November board meeting. He has been working with other licensed geoscientists, who seal the documents he produces. His desire for a license is primarily so that he can seal his own documents.

Schramm suggested putting together a draft guidance document on this rule. Williamson agreed. Hall added that the document would be enhanced if the group thinks about what each of the license requirements represent in terms of the competency expected of a licensee. McDade pointed out that the document needs to be fairly loose in its description of specialty areas and not constrain the guidance to very specific areas. Discussion ensued. Schramm asked if creating specialty areas would require additional legislation; Hall said she would research that question.

The group then discussed whether the issue overlaps enough to continue the joint nature of the discussions. They decided it does, so they will continue to meet jointly. Stiegler asked if the two committees should meet again prior to the Thursday, January 14, 2021, board meeting. All agreed that another meeting would be beneficial and decided to meet at noon on January 14 before the 1 pm board meeting. Stiegler then called for a motion to adjourn; Schramm moved to adjourn, and both McDade and Williamson seconded the motion. The meeting adjourned 2:00 pm.