III. Personnel/Enforcement/Exams/Licensing/Publications/Website

Enforcement

FY2009/2010 SUMMARY OF ENGINEERING AND LAND SURVEYING ENFORCEMENT CASES
Through June 2010

	IN-HOUSE					DIV. OF INVEST.			ATTORNEY GENERAL				
	Cases Opened	Cases Closed	Cases Pend.	Mean/Median Age of Cases Pending (in days)	Pending Cases Over 365 Days	Cases Subm.	Cases Ret'd	Cases Pend.	Cases Subm.	Cases Closed	Cases Pend.	SOIs Pend.	ACCs Pend.
JULY	60	37	405	370/206	142	3	3	50	3	1	69	4*	68*
AUG	37	42	401	362/194	133	6	5	53	0	2	67	4*	66*
SEPT	29	63	367	373/224	132	4	6	51	16	0	83	4*	82*
OCT	15	67	315	391/248	124	3	1	53	1	0	84	4*	83*
NOV	61	21	355	340/211	118	0	0	53	10	0	94	4*	93*
DEC	55	41	369	324/206	119	1	3	51	7	10	91	3*	91*
JAN	18	40	347	346/222	116	3	4	50	11	0	102	3*	102*
FEB	32	58	321	366/250	115	2	5	47	12	5	109	2*	109*
MARCH	18	49	290	369/266	99	4	0	51	15	3	121	2*	121*
APRIL	31	33	288	353/247	104	2	7	46	6	1	126	2*	126*
MAY	43	34	297	343/223	107	0	3	43	5	0	131	2*	131*
JUNE	57	56	298	321/192	100	0	14	29	2	16	117	1*	117*
TOTALS	456	541				28	51		88	38			

*Three cases pending at the Attorney General's Office involve both a Statement of Issues (denial of licensure) and an Accusation (disciplinary action against a license or certificate). Therefore, the number of SOIs Pending and the number of ACCs Pending total more than the number of Cases Pending at the Attorney General's Office.

Explanation of Terms:
"In-House" totals represent the number of complaints opened, closed, and pending in a given month. In addition, the mean and median age of pending cases and the number of pending cases over 365 days are provided.

"Div. Of Invest." totals represent the number of complaints which are referred to, returned from, and still pending with the Division of Investigation in a given month. These cases are a subset of the "In-House" cases.

"Attorney General" totals represent the number of cases submitted to, closed, and pending with the Office of the Attorney General, as well as a breakdown of how many cases are Statements of Issues (SOIs), which are not generated by enforcement/complaint activity, and how many cases are Accusations (ACCs), which are generated by enforcement/complaint activity. (SOIs are generated by denials of applications for registration or licensure.)

SUMMARY OF ENGINEERING AND LAND SURVEYING ENFORCEMENT CASES BY FISCAL YEAR
Through June 2010

	IN-HOUSE					DIV. OF INVEST.			ATTORNEY GENERAL				
	Cases Opened	Cases Closed	Cases Pend.	Mean & Median Age of Pend. Cases	Cases Pend. Over 365 Days	Cases Subm.	Cases Ret'd	Cases Pend.	Cases Subm.	Cases Closed	Cases Pend.*	SOIs Pend.	ACCs Pend.*
02/03	302	218	408	386/323	189	26	39	28	17	17	29	1	28
03/04	393	246	556	469/343	271	32	26	34	31	18	42	2	40
04/05	276	262	570	586/506	368	31	23	42	20	24	38	3	35
05/06	452	374	648	504/366	326	74	24	92	30	29	39	2	37
06/07	559	569	637	513/405	353	50	42	100	15	28	26	3	23
07/08	457	612	482	446/294	213	54	62	92	17	9	34	3	31
08/09	458	558	382	405/260	151	34	64	62	59	12	67*	4**	66**
09/10	456	541	298	321/192	100	28	51	29	88	38	117	1**	117**

The Division of Investigation cases are a subset of the In-House Complaint Investigation Cases.

* In preparing the July 2008 statistics, it was discovered that the Accusations Pending (ACCs Pend.) number was incorrect. It is not possible to go back through the years to determine when the error in the statistics occurred; therefore, we have not changed the previous years' numbers.

** Three cases pending at the Attorney General's Office involve both a Statement of Issues (denial of licensure) and an Accusation (disciplinary action against a license or certificate). Therefore, the number of SOIs Pending and the number of ACCs Pending total more than the number of Cases Pending at the Attorney General's Office.

*** In preparing the June 2010 statistics, it was discovered that the Division of Investigation Cases Pending (DIV. OF INVEST. Cases Pend.) number was incorrect. It is not possible to go back through the years to determine when the error in the statistics occurred; therefore, we have not changed the previous years' numbers.

Explanation of Terms:

"In-House" totals represent the number of complaints opened, closed, and pending in a given month. In addition, the mean and median age of pending cases and the number of pending cases over 365 days are provided.

"Div. Of Invest." totals represent the number of complaints which are referred to, returned from, and still pending with the Division of Investigation in a given month. These cases are a subset of the "In-House" cases.

"Attorney General" totals represent the number of cases submitted to, closed, and pending with the Office of the Attorney General, as well as a breakdown of how many cases are Statements of Issues (SOIs), which are not generated by enforcement/complaint activity, and how many cases are Accusations (ACCs), which are generated by enforcement/complaint activity. (SOIs are generated by denials of applications for registration or licensure.)

ENGINEERING AND LAND SURVEYING COMPLAINT CATEGORY STATISTICS
Through June 2010

Because the Professional Engineers Act and Professional Land Surveyors' Act have general/all-inclusive statutes which address violations (for example, Section 6775 includes fraud, deceit, misrepresentation, breach or violation of contract, negligence, incompetence, aiding/abetting, and violating the Code of Professional Conduct in the practice of professional engineering, and Section 8780 includes fraud, deceit, misrepresentation, breach or violation of contract, negligence, incompetence, aiding/abetting, and violating the Code of Professional Conduct in the practice of professional land surveying), the Enforcement Unit does not classify complaints by the specific type of violation; in general, we investigate the complaint as if all of these violations have been alleged. However, the Department of Consumer Affairs (DCA) has standard category types for complaint statistics which we use when a complaint case is initially opened. These categories are contractual, fraud, health and safety, non-jurisdictional, competence/negligence, other category, personal conduct, product quality, unprofessional conduct, and unlicensed or unregistered activity. Therefore, when a complaint is received and opened as a formal complaint the information provided by the complainant is reviewed and one or two of the DCA categories are chosen for statistical purposes.

CATEGORY	FY02/03	FY03/04	FY04/05	FY05/06	FY06/07	FY07/08	FY08/09	FY09/10
Competence/Negligence	100	119	84	110	114	105	159	124
Contractual*	61	79	72	96	87	84	78	60
Fraud	23	34	33	68	56	49	53	41
Unlicensed Activity	81	124	84	105	98	103	108	82
Other Category	17	29	6	7	6	28	22	18
Record of Survey**	38	32	35	52	29	23	74	55
Delinquents**	4	10	1	1	2	0	2	2
Examination Subversion**	52	63	31	106	271	149	94	167
Code of Professional Conduct	N/A	7	5	16	9	16	10	8
Reporting of Legal Actions Program**	N/A	N/A	N/A	N/A	N/A	1	18	38

* Contractual includes failure to use a written contract or failure to include all required elements in the written contract as well as breach of contract.
** These are not DCA categories; they are Board categories.

(Please note: These numbers may total more than the number of complaints we opened in a given year because a complaint may fall within more than one category.)

ENGINEERING & LAND SURVEYING COMPLAINT INVESTIGATION CASE RESOLUTION STATISTICS
Through June 2010

This table shows the general closing categories used by the Enforcement Unit when closing a complaint investigation case; these categories are based on categories from the Department of Consumer Affairs.

Fiscal Year	No Violation & Insufficient Evidence	Compliance Obtained	Mediated	RAIN	Warning Letter	Citation to be Issued	Referred to		Other
							DA	AG	
02/03	50	67	2	23	9	26	13*	26*	8
03/04	53	71	4	23	9	18	12	52	4
04/05	62	83	7	11	12	32	2	32	11
05/06	92	86	28	19	25	52	5	61	9
06/07	171	199	7	10	34	70	12	48	18
07/08	135	183	9	8	76	113	11*	63*	12
08/09	130	112	11	17	91	112	3	77	5
09/10	150	104	2	5	59	98	5	103	14

* In FY02/03, four cases were submitted to both the District Attorney and the Attorney General. In FY07/08, two cases were submitted to both the District Attorney and the Attorney General.

"No Violation & Insufficient Evidence" also includes "No Jurisdiction" (the alleged violations do not fall within the Board's Jurisdiction). "RAIN" stands for "Resolved After Initial Notification." "Other" includes such categories as Subject Deceased, Unable to Locate Subject, Non-Cooperation of Complainant, No Response from Exam Subversion Subjects (Applications Voided).

In addition to investigating formal complaints, the Enforcement Unit staff assists consumers and licensees in resolving problems before they actually become complaints. Most of these matters involve a breakdown of communication between the licensee and the client. The Enforcement Analysts assist both parties in re-opening the lines of communication; the analysts act only as mediators, not arbitrators. In these situations, it is generally the parties involved who resolve the problem rather than the analysts. Most of these matters are generally handled through telephone contact rather than with correspondence.

AGING OF ENGINEERING AND LAND SURVEYING
ACCUSATION & PROBATION VIOLATION CASES ASSIGNED TO THE ATTORNEY GENERAL
Through June 2010

	0-91 DAYS	92-182 DAYS	183-274 DAYS	275-365 DAYS	1-2 YEARS	2-3 YEARS	OVER 3 YEARS
PRE-ACCUSATION CASES	10	22	7	8	1	0	0
POST-ACCUSATION CASES	26	13	8	7	6	0	0

"Pre-Accusation" are cases for which an Accusation has not yet been filed and is calculated from the date the case is submitted to the AG's Office to the current date.
"Post-Accusation" are cases for which an Accusation has been filed and is calculated from the date the Accusation is filed to the current date.

OUTCOME OF ENGINEERING & LAND SURVEYING CASES SUBMITTED TO THE ATTORNEY GENERAL'S OFFICE
Through June 2010
Based on the Effective Date of the Decision
(Including Proposed Decisions, Stipulations, Defaults, and Decisions After Reconsideration)

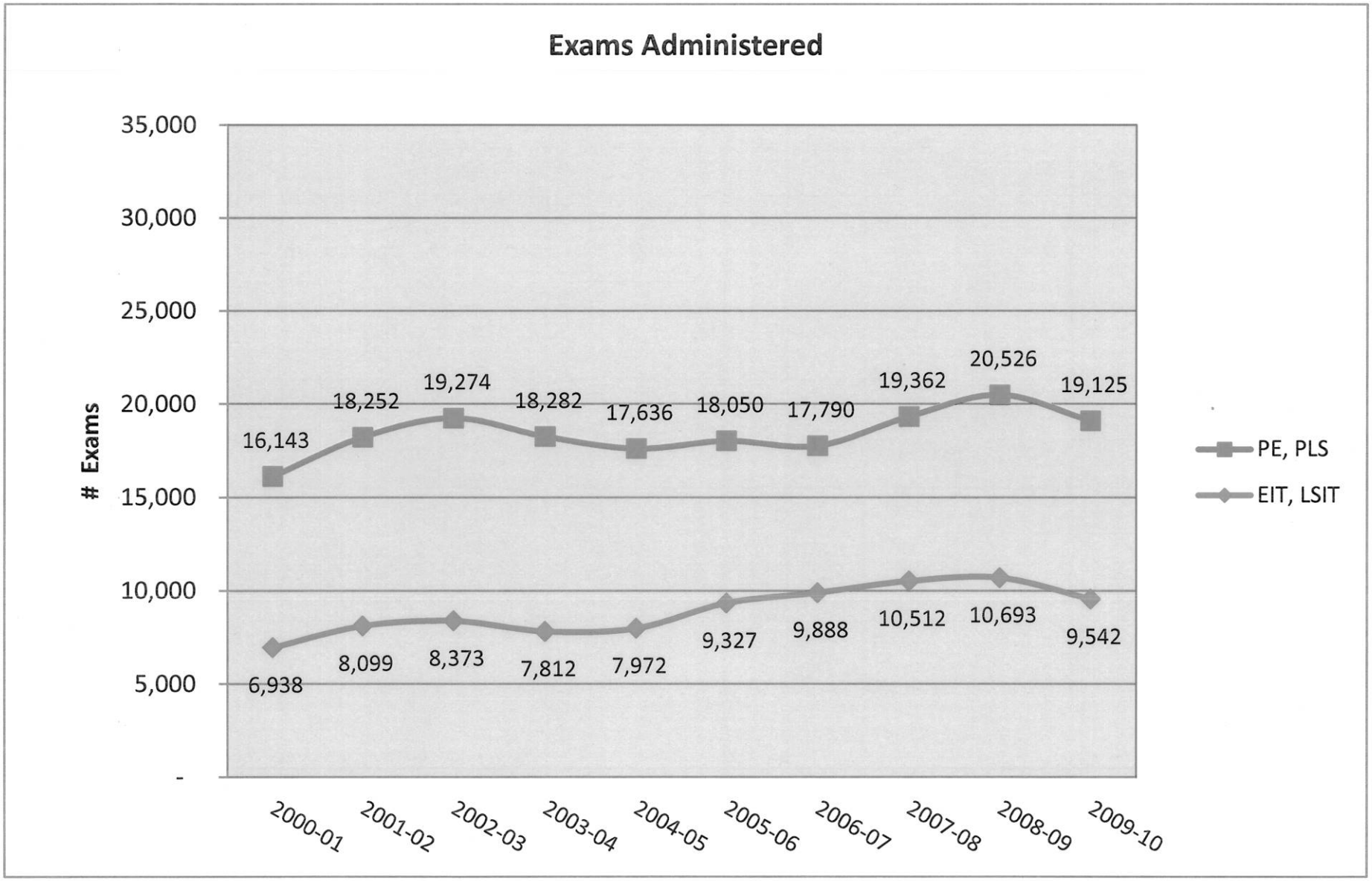
Fiscal Year	Total	Revoked or Voluntary Surrender	Rev/Stay (with probation)	Susp/Stay (with probation)	Other (i.e., Suspension Only, Probation Only)	Dismissed**	Withdrawn*	
							Acc Filed	No Acc Filed
02/03	17	3	7	3	0	0	2	2
03/04	17	4	11	0	1	0	0	1
04/05	27	3	15	3	5	0	1	0
05/06	24	7	10	1	3	1	0	2
06/07	28	10	8	0	3	0	3	4
07/08	7	2	1	0	3	1	0	0
08/09	12	4	5	0	1	0	0	2
09/10	38	11	11	0	8	0	1	7

* For statistical tracking purposes, we use the term "Withdrawn" to apply to both cases which are returned by the AG's Office with the recommendation that an Accusation not be filed as well as cases in which an Accusation is filed and then formally withdrawn (through a Notice of Withdrawal signed by the Executive Officer as the Complainant in the Accusation) prior to the issuance of a Final Decision by the Board. Generally, the DAG will recommend that an Accusation not be filed if he believes, after reviewing all of the evidence provided, the case is too old or there is insufficient evidence or if the subject/respondent complies with the law (such as filing the Record of Survey or completing the terms of the contract). Additionally, Accusations are withdrawn (after filing) if additional evidence indicates that the respondent is in compliance with the law.

** An Accusation is dismissed (with or without prejudice) through a Final Decision by the Board (generally, by adopting a Proposed Decision which orders dismissal or by granting a Petition for Reconsideration and ordering dismissal).

(It is rare that a case will be opened as a complaint, submitted to the AG's Office, and have a final decision issued in the same fiscal year. In addition, multiple complaint cases against the same individual are combined into one case when submitted to the AG's Office.)

Exams


Exams Administered
35,000
30,000
25,000
20,000
15,000
10,000
5,000
-
Exams
16,143
18,252
19,274
18,282
17,636
18,050
17,790
19,362
20,526
19,125
6,938
8,099
8,373
7,812
7,972
9,327
9,888
10,512
10,693
9,542
2000-01
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2003-04
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2005-06
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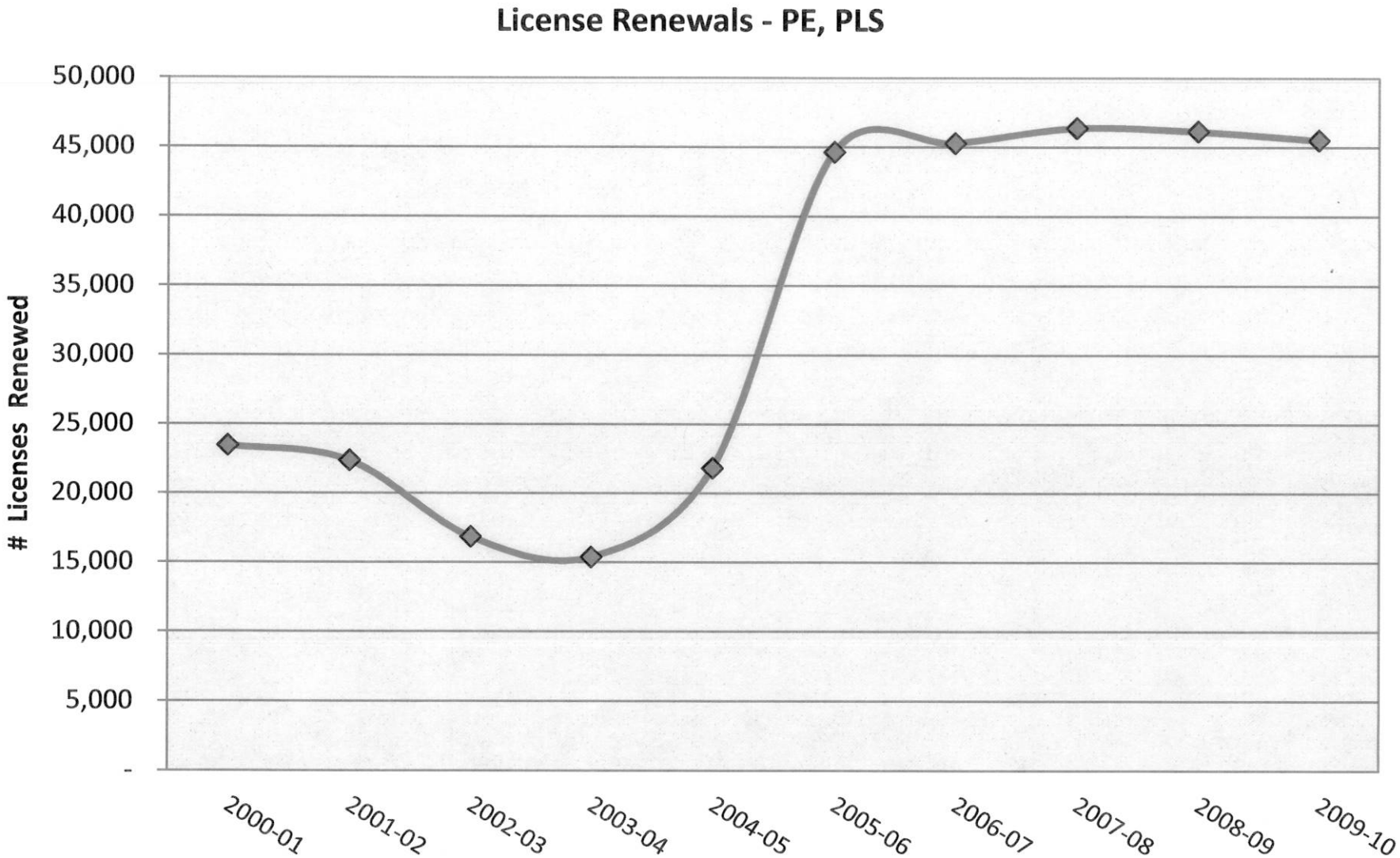
2008-09
2009-10
PE, PLS
EIT, LSIT



Note: *The 4-year license renewal requirement was adjusted to a 2-year renewal effective June 2, 2003*

EXAMS AND LICENSING SUMMARY

Geologist and Geophysicist Program

	March 2010 Examination	October 2009 Examination	Increase / Decrease #	%
ASBOG Fundamentals of Geology	60	56	4	7%
ASBOG Practice of Geology	74	72	2	3%
California Supplemental Examination	115	102	13	13%
Total Examinees	249	230	19	8%

	FY 2009-10
License Renewals	3,782
Active Licenses (PG & PGp	7,736

	FY 2009-10
License Renewals	3,782

	October 2010 Examination
Geologist-in-Training	37
Professional Geologist	163
Certified Engineering Geologist	23
Certified Hydrogeologist	19
Professional Geophysicist	2
Total Applications	244

October 2010 Examination Site Inspection

At the May 5, 2010 meeting, the Board directed staff to inspect the secure storage options at each examination site to ensure that the facilities meet our expectations and allow us to fulfill our contractual security responsibilities.

The following represents the status of this inspection:

San Mateo (Bay Area)	Locked closet in exam room / Chief Proctor has key	Verified
Sacramento (Cal Expo)	Locked closet in exam bldg. / Chief Proctor has key	Verified
Visalia (Convention Ctr)	Unknown	To be Scheduled
SLO (Cal Poly)	Shipping & Receiving	To be Scheduled
Pomona (Fairplex)	Locked closet in exam bldg. / Chief Proctor has key	To be Scheduled
San Diego (Del Mar)	Unknown	To be Scheduled

In addition, Board staff is investigating the costs and feasibility of arranging for temporary secure storage and shipping / retrieval in Southern California for the Pomona and San Diego exam sites. It is anticipated that an inspection visit and more details will be forthcoming during August, 2010.

An update will be provided at the Board meeting

Website

PROFESSIONAL ENGINEERS AND LAND SURVEYORS WEBSITE STATISTICS – Fiscal Year 2009/2010

Top 10 Web Page Requests (First through Tenth Position Indicated)

Web Page	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
License Lookup Introduction Page	1	1	1	1	1	1	1	1	1	1	1	1
Application Information Index	2	2	5	4	4	2	3	4	4	4	5	2
Consumer Guide	8	4	3	2	3	7	8	2	2	2	3	3
Board Rules	6	8	6	3	2	3	9	3	3	3	6	4
Local Officials Guide (added 5/6/10)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	2	5
Information regarding New Exam Registration Procedures (added 5/17/10)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		6
PE Application Introduction Page	4		10	9	7	4		10	10		8	7
Spring 2010 Bulletin (posted 4/23/10)										10	4	8
Exam Schedule/Final Filing Date Introduction Page	5	5	7	7	8	5	4	5	6	6	9	9
Engineering Exam Schedule/Final Filing Dates	9	6	2	8	6	6	7	6	7	7	10	10
List of Civil Engineers Licensed Prior to January 1, 1982	7	7	4	6	5	8	10	7	5	8	7	
Examination Information Index	10	9	8	5	9	9	5	8	8	5		
EIT/LSIT Application Instructions		3	9	10			6	9	9	9		
Information regarding Release of October 2009 Examination Results (added 11/09; updated 1/10 with results and statistics)	n/a	n/a	n/a	n/a			2					
Forms Introduction Page (links to all forms)					10	10						
EIT/LSIT Application Form		10										
Information regarding Release of the April 2009 Examination Results (updated 7/27/09 with results and statistics)	3											

License Lookup Hits – Board Site vs. DCA Site

License lookup can be accessed from both the Board's website and from the main Department of Consumer Affairs' site.

License Lookup Access	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June
via the Board's site	54,349	28,925	22,376	22,505	20,949	25,201	80,554	23,732	22,948	22,449	22,690	28,249
via DCA's site	155,841	73,805	52,331	53,439	50,228	56,918	210,373	64,812	57,950	53,770	53,103	62,057

GEOLOGISTS AND GEOPHYSICISTS PROGRAM WEBSITE STATISTICS – Fiscal Year 2009/2010

Top 10 Web Page Requests (First through Tenth Position Indicated)

Web Page	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Exam/Application Information Page	3	2	1	1	1	1	1	1	1	1	1	1
Professional Geologist Application Form				4	4					10	2	2
Exam Schedule & Final Filing Dates	10	7	8	5	3	6	2	7	8	6	3	3
Licensee Information Index	4	6	4	7	5	4	4	2	2	2	5	4
Fee Schedule	9	10	7	8	7	8	9	6	7	8	6	5
Forms/Publications Index	5	5	5	6	6	9	8	3	4	3	7	6
Application Information Index			9	9	9	10	6	4	6	5	9	7
Professional Geologist Application Instructions									10	9	4	8
FAQs	7	4	6	10	10			8	5	7		9
March 2010 Examinee Instructions (added 2/10)	n/a	n/a	n/a	n/a	n/a	n/a	n/a		3		10	10
Professional Geologist Reference Form											8	
Featured Topics Index	2	1	2	3	2	2	5	5	9	4		
Geologist & Geophysicist Act & Regulations	1	9	10			7		9				
Examination Schedule Change (added 11/09)	n/a	n/a	n/a	n/a		5	7	10				
Information re: the October 2009 Examination Results (added 11/09; updated 12/31/09)	n/a	n/a	n/a	n/a		3	3					
FAQ re: ABx4 20 (added 11/09; updated 12/09)	n/a	n/a	n/a	n/a			10					
2007 Strategic Plan					8							
Statement from President of the Board for Geologists and Geophysicists regarding Elimination of the Board				2								
Board for Geologists and Geophysicists' Resolution regarding Continuation of the Board		3	3									
Enforcement Action re: a Professional Geologist	8	8										
Enforcement Actions Index	6											

License Lookup Hits

	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June
License Lookup	7,476	3,789	3,482	3,494	5,350	3,948	3,791	3,751	5,626	4,174	4,749	4,176