TEXAS BOARD OF PROFESSIONAL GEOSCIENTISTS

P.O. Box 13225 • Austin, Texas 78711 • (512) 936-4408 • www.tbpg.state.tx.us

REQUEST FOR WAIVER OF LICENSING REQUIREMENT BOARD POLICY AND PROCEDURES, *effective August 2016*

INTRODUCTION: The Texas Board of Professional Geoscientists is charged with the responsibility of issuing a license to engage in the public practice of geoscience in the state of Texas only to those individuals who meet the qualifications for licensure, as provided by Texas law. The successful completion of the required examination for the specific discipline is an essential element in the Professional Geoscientist licensure process.

The Texas Geoscience Practice Act (TGPA) (Texas Occupations Code, Chapter 1002, §1002.259) **(APPENDIX 1)** provides that "Except for the payment of required fees, the board may waive any of the requirements for licensure by a two-thirds vote of the entire board if the applicant makes a written request and shows good cause and the board determines that the applicant is otherwise qualified for a license." The Board's rules (Texas Administrative Code; Title 22; Part 39; Chapters 850 and 851) at §851.22 (e) also address the submission of a request for the waiver of a license requirement.

An applicant for licensure as a Professional Geoscientist may request a waiver by submitting a copy of Form VI –"Request for Waiver of Licensing Requirement – Board Policy and Procedures," along with supporting documentation. Only an applicant for licensure may request a waiver. An applicant must have submitted a complete application, supporting documentation (such as transcripts and qualifying experience record), and applicable fees for a waiver request to be considered.

Once a request for a waiver and all relevant documents and information supporting the request have been received, subject to scheduling logistics, the request will be placed on the next available meeting of the TBPG's Application Review and Continuing Education Committee. We strongly recommend that documentation be submitted at least (3) weeks before the meeting.

GUIDANCE POLICY: The following policy was developed by the TBPG Board and is intended to be guidance for the Application Review and Continuing Education Committee and the Board in consideration of a request for waiver. In accordance with TOC §1002.259, an approval of a waiver request requires a vote of two-thirds of the TBPG Appointed Board (6 affirmative votes), regardless of the number of Board members in attendance.

A request for the substitution of experience for education (provided by TOC 1002.255(b)) **(APPENDIX 2)** requires a simple majority vote of a quorum of the TBPG Appointed Board to be approved.

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WAIVER OF THE EXAMINATION(S):

General: In order for a licensing examination to be waived by the TBPG's Appointed Board, an applicant must:

- Meet all other qualifications for licensure (qualifying work experience, education, documentation relating to criminal, disciplinary or civil litigation history)
- Meet the criteria in the policy for the specific examination that has been requested to be waived
- Have not failed the examination that is the subject of the waiver request in the last five years.

Experience stated in the following examination waiver policies must meet the criteria for qualifying work experience under TBPG rule §851.23.

I. ASBOG® Fundamentals of Geology Examination:

Minimum Criteria

EDUCATION	EXPERIENCE
B.S.	15 Years
M.S.	13 Years
Ph.D.	10 Years

II. ASBOG® Practice of Geology Examination:
Minimum Criteria (a person may qualify for a waiver by meeting either "Generalized" Practice Experience or "Specialized" Practice Experience):

A. Generalized practice experience (must meet all four criteria)
   1. Completed twenty (20) years of geosciences work experience.
   2. Completed ten (10) years of supervisory experience (three of more individuals under supervision).
   3. Completed coursework in six of the eight areas.
      a. Field geology
      b. Mineralogy, petrology and geochemistry
      c. Sedimentology, stratigraphy and paleontology
      d. Geomorphology, surficial processes and quaternary geology
      e. Structure, tectonics and seismology
      f. Hydrogeology
      g. Engineering geology
      h. Economic geology and energy resources
   4. Demonstrate the ability to plan and conduct geosciences investigations considering public health, safety, and welfare.

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B. Specialized practice experience: The applicant demonstrates twenty years or more of specialized work history in only one or two of the ASBOG® task domains. One factor TBPG will consider is whether the examination is not relevant to, or largely beyond the scope of, the applicant's specialized experience and the applicant's intended field of practice.

III. Council of Soil Science Examination (CSSE) – Fundamentals of Soil Science

Minimum Criteria

EDUCATION	EXPERIENCE
B.S.	15 Years
M.S.	13 Years
Ph.D.	10 years

IV. Council of Soil Science Examination (CSSE) – Professional Practice Examination.

An applicant must meet Minimum Criteria (a person may qualify for a waiver by meeting either "Generalized" Practice Experience or "Specialized" Practice Experience):

(A) Generalized practice experience (must meet all four criteria):

1. Completed twenty (20) years of **soil science** work experience;
2. Completed ten (10) years of supervisory experience;
3. Completed coursework in six of the eight following CSSE Professional Practice Performance Objective (PPPO) domains:
   a. Soil chemistry;
   b. Soil mineralogy
   c. Soil fertility and nutrient management;
   d. Soil physics;
   e. Soil genesis and classification;
   f. Soil morphology;
   g. Soil biology and soil ecology; and
   h. Soil and land use management.
4. Demonstrate the ability to plan and conduct **soil science** investigations considering public health, safety, and welfare.

(B) Specialized practice experience: The applicant demonstrates twenty years or more of specialized work history in only one or two of the **CSSE PPPO** domains. One factor TBPG will consider is whether the examination is not relevant to, or largely beyond the scope of, the applicant's specialized experience and the applicant's intended field of practice.

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V. Texas Fundamentals of Geophysics Examination (TFGE)
No waiver (Not a required exam for licensure)

VI. Texas Geophysics Examination (TGE)

An applicant must meet minimum criteria in either Generalized Practice Experience or Specialized Practice Experience.

(A) Generalized practice experience (must meet all four criteria):
1. Completed twenty (20) years of geophysics work experience;
2. Completed ten (10) years of supervisory experience;
3. Completed coursework in six of the eight areas:
   a. Fundamentals of Geophysics;
   b. Geophysical Field Methods;
   c. Geophysical Signal Processing;
   d. Exploration/Applied Geophysics;
   e. Engineering & Environmental Geophysics;
   f. Hydrogeophysics;
   g. Seismology; and
   h. Near-surface Geophysics: Magnetics, Electromagnetic, Gravity, Electrical Resistivity, Seismic.
4. Demonstrate the ability to plan and conduct geophysical surveys considering public health, safety, and welfare.

(B) Specialized practice experience: The applicant demonstrates twenty years or more of specialized work history in only one or two of the tasks domains. One factor TBPG will consider is whether the examination is not relevant to, or largely beyond the scope of, the applicant's specialized experience and the applicant's intended field of practice.

WAIVER OF THE QUALIFYING WORK EXPERIENCE

The TBPG Appointed Board has determined that the qualifying work experience that is required for licensure per the statute is a necessary requirement. The TBPG Appointed Board has determined that it will not waive the experience requirement for licensure.

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SUBSTITUTION OF WORK EXPERIENCE FOR THE EDUCATION REQUIREMENT:

All applicants seeking a substitution of experience for the education requirement would need to meet the following minimum criteria in order to be considered by the Board:

1. Applicants pass one of the following qualifying licensing examinations within three (3) attempts:
    a. Geology discipline: both parts of the ASBOG® examination;
    b. Geophysics discipline: the Texas Geophysics Examination (TGE);
    c. Soil Science discipline: both parts of the Council of Soil Science Examiners (CSSE) examination; or
    d. Similar licensing examination: substantially similar to the applicable examination(s) as specified above.
2. Applicants must have at least 15 years of qualifying work experience.
3. Applicants must demonstrate the following:
    a. Can apply scientific methods;
    b. Can problem solve;
    c. Can communicate effectively; and
    d. Continues their education throughout their professional career.
4. It is highly recommended that the applicants appear before the committee for presentation of qualifications.

WAIVER OF THE EDUCATION REQUIREMENT

All applicants seeking a waiver of the education requirement would need to meet the following minimum criteria in order to be considered by the Board:

1. Applicants must demonstrate both the following:
    a. A four-year degree in a field of basic or applied science which includes at least 15 hours in courses in geosciences from an accredited institution of higher education, and
    b. An established record of continuing education and workshop participation in fields of geoscience.
2. Applicants must have at least eight years of qualifying geoscience experience.
3. Applicants must pass one of the following qualifying licensing examinations:
    a. Geology discipline: both parts of the ASBOG® examination;
    b. Geophysics discipline: the Texas Geophysics Examination (TGE); or
    c. Soil Science discipline: both parts of the Council of Soil Science Examiners (CSSE) examination.

    This establishes mastery of a minimum required knowledge base in geoscience.

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TBPG'S APPLICATION REVIEW AND CONTINUING EDUCATION COMMITTEE REVIEW: TBPG's Application Review and Continuing Education Committee will review the request and supporting documentation and vote to recommend approval to the full TBPG Board (grant the requested waiver). An applicant should provide a written justification, along with supporting documentation. An applicant may also appear before the Committee and the full Board to provide testimony to support the request.

All requests recommended for approval will be scheduled for review by the full Board. Requests the Committee does not recommend to approve may be scheduled for review by the full Board only at the applicant's request.

TBPG'S BOARD INITIAL REVIEW: TBPG will review the request and supporting documentation and determine whether or not to approve the request (grant the requested waiver).

An applicant who believes that there is additional information that was not available to the Board when it reviewed the request, may submit additional information to staff regarding the current application, along with a written request that the Board reconsider the request. If, in staff judgment, new information is submitted that may be relevant to the Board's review of an application/request, staff will schedule the review of the request to re-review the application at the next full Board meeting.

In the consideration of a request to re-review an application/waiver request, because new information has been submitted, the Board will first determine by a simple majority vote whether to reconsider the application/waiver request, based on whether relevant new information has been submitted. If the Board were to determine by vote that the new information warrants the re-review of an application, the Board would then reconsider the waiver request, including all of the information available at that time. An applicant may appear before the Board and present information related to the request. The Board will consider the re-review of a waiver request only once.

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REQUEST FOR WAIVER/SUBSTITUTION OF THE LICENSING REQUIREMENT APPLICANT ACKNOWLEDGEMENT FORM

Choose one:

_____ Initials I am requesting a waiver of the following examination(s)

_____

_____

_____ Initials I am requesting a waiver of the education requirement for licensure

_____ Initials I am requesting a substitution of the qualifying work experience requirement for the education requirement for licensure

A request for a waiver of a licensing requirement or a request to substitute experience for education is not approved by TBPG staff. The Application Review and Continuing Education Committee will consider all waiver requests and make a recommendation to the Board. A waiver request or a request to substitute experience for education that has been recommended for approval by the Application Review and Continuing Education Committee may not be approved by the full TBPG Board. A waiver of a licensing requirement can only be granted by a two-thirds vote of the entire Appointed Board (minimum 6 votes). The substitution of experience for education can be granted by a simple majority of a quorum of the Appointed Board. _____ Initials

I understand that requests for waiver are not guaranteed. I understand that the TBPG's policies related to licensing requirement waivers are guidance policies for the TBPG Appointed Board. I understand that the Appointed Board may grant or deny a specific waiver request based on its deliberation of the merits of each waiver request. _____ Initials

I understand that the application fee is non-refundable whether or not a requested waiver of a licensing requirement is approved. _____ Initials

By my signature, I certify that I understand the TBPG's policies and procedures related to a request for the waiver of a licensing requirement or the substitution of experience for the education requirement. I understand that it is my responsibility to provide all of the documentation and other information relevant to the request. I understand that I may attend the Application Review/Continuing Education Committee/full TBPG Board meetings and address the Committee Members/Members of the Appointed Board.

_____
Signature

_____ _____
Printed Name Date

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CITATIONS

1. Occupations Code §1002.259. WAIVER OF REQUIREMENTS.
(a) Except for the payment of required fees, the board may waive any of the requirements for licensure by a two-thirds vote of the entire board if the applicant makes a written request and shows good cause and the board determines that the applicant is otherwise qualified for a license.
(b) Each requirement waived under this section and the basis for the waiver must be recorded in the applicant's record and in the proceedings of the board.

2. Occupations §1002.255. LICENSE ELIGIBILITY.
(a) To be eligible for a license under this chapter, an applicant must:
(1) have:
(A) graduated from a course of study in a discipline of geoscience satisfactory to the board that consists of at least four years of study and includes at least 30 semester hours or 45 quarter hours of credit in geoscience, of which at least 20 semester hours or 30 quarter hours of credit must be in upper-level college courses in that discipline; or
(B) satisfactorily completed other equivalent educational requirements as determined by the board;
(2) have a documented record of at least five years of qualifying work experience, as provided by Section 1002.256, that demonstrates that the applicant is qualified to assume responsible charge of geoscientific work;
(3) pass an examination required by the board covering the fundamentals and practice of the appropriate discipline of geoscience; and
(4) meet any other requirements established by the board.
(b) The board may accept qualifying work experience in lieu of the education required by Subsection (a)(1).

3. TAC §851.21. Licensing Requirements-Examinations. See www.tbpg.state.tx.us/rules for current rule.

4. TAC §851.23. Qualifying Experience Record. See www.tbpg.state.tx.us/rules for current rule.