

**BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS**

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**POLICY OF THE BOARD FOR PROFESSIONAL
ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS
ON DISCLOSURE OF COMPLAINTS AND ENFORCEMENT ACTIONS**

It is the policy of the Board for Professional Engineers, Land Surveyors, and Geologists to provide information to all interested parties regarding complaints and enforcement actions resulting from violations of the Professional Engineers Act (Business and Professions Code section 6700, et seq.), the Geologist & Geophysicist Act (Business and Professions Code section 7800, et seq.), the Professional Land Surveyors' Act (Business and Professions Code section 8700, et seq.), the Board Rules and Regulations Relating to the Practices of Engineering and Land Surveying (Division 5 of Title 16 of the California Code of Regulations), and/or the Regulations Relating to the Practices of Geology and Geophysics (Division 29 of Title 16 of the California Code of Regulations).

COMPLAINTS

The Board keeps records for five years of complaints against licensees and non-licensees that do not result in enforcement action (see below) involving violations of the Professional Engineers Act, the Geologist & Geophysicist Act, the Professional Land Surveyors' Act, and the Board Rules and Regulations Relating to the Practices of Engineering, Land Surveying, Geology, and Geophysics.

During the investigation, no information concerning the complaint will be disclosed.

If investigation reveals that there has been no violation of the law, no information concerning the complaint will be disclosed.

If investigation reveals that there has been a probable violation of the law, upon written or oral request, information concerning the complaint shall be disclosed as follows:

1. The number of complaints against a specific Board licensee or non-licensee.
2. The date the complaint was received and the date on which final disposition of the complaint was reached.
3. The disposition of the complaint, as follows:
 - a. Compliance obtained.
 - b. Complaint mediated/resolved.
 - c. Complaint referred for legal and/or disciplinary action (i.e., criminal action, citation issuance, and/or accusation filing).
 - d. Any other action taken, formal or informal.

ENFORCEMENT ACTIONS (CRIMINAL ACTIONS, CITATIONS, ACCUSATIONS, AND FINAL ORDERS)

The Board shall keep records of enforcement actions taken, including criminal convictions, citations, accusations, and final orders, as required by law.

Upon written or oral request, information regarding citations issued and accusations filed shall be disclosed as follows:

Citations: A citation shall be disclosed once it is issued along with its procedural status.

Accusations: An accusation shall be disclosed once it is filed along with its procedural status.

Upon written or oral request, information regarding final orders (final citation orders or final disciplinary decisions/orders on accusations) shall be disclosed as follows:

Final Orders: Final orders shall be disclosed once they become final and effective. Additionally, information shall be provided regarding compliance with the order, as applicable at the time of the request.

In addition to providing the information described above regarding final orders upon request, the Board will publicize such final orders in any manner, consistent with the provisions of the Information Practices Act (Civil Code section 1798, et seq.), the Public Records Act (Government Code section 6250, et seq.), and other applicable laws, that the Board deems appropriate, including, but not limited to, issuing press releases, publishing articles in Board publications and on the Board's Internet site, and providing information to the regulatory agencies for engineering, land surveying, geology, and/or geophysics in other states.

Upon written or oral request, information regarding criminal actions resulting from Board investigations shall be disclosed as follows:

Criminal Actions: The name and address of the appropriate court which has instituted the criminal proceedings regarding criminal actions resulting from Board investigations, along with the pertinent docket or case number, shall be provided once the Board has received such information from the Division of Investigation, the appropriate District or City Attorney's Office, or the appropriate court.

In addition to providing the information described above regarding criminal actions upon request, the Board will publicize criminal actions in any manner, consistent with the provisions of the Information Practices Act (Civil Code section 1798, et seq.), the Public Records Act (Government Code section 6250, et seq.), and other applicable laws, that the Board deems appropriate, including, but not limited to, issuing press releases, publishing articles in Board publications and on the Board's Internet site, and providing information to the regulatory agencies for engineering, land surveying, geology, and/or geophysics in other states.