

ASSOCIATION OF ONTARIO LAND SURVEYORS

ENTRY-TO-PRACTICE REVIEW

March 2011

Executive Summary

This report had been prepared in response to a request from the Office of the Fairness Commission dated June 14, 2010. The scope of this review was limited to the three items requested in this letter, namely:

- a) An analysis of the necessity and relevance of the requirements for practical training and or work experience, including any practicum, mentorship, internship or residency;
- b) An analysis of the efficiency and timeliness of decision-making, including decisions related to assessment, registration and appeals; and
- c) An analysis of the reasonableness of the fees charged by the regulated profession in respect of registrations, including third-party assessment agencies.

Data relating to the three areas of study was analyzed and recommendations were made.

The review concluded that the Academic and Experience Requirements Committee should complete its review of the articling process, the possible continuous intake of competency based applicants and adopt a policy regarding the obligations of articling surveyors. In addition, the Association should perform an annual review of all fees relating to the entry process.

Practical Training and Work Experience

Data Collection

The following data was considered in analysing the necessity and relevance of the practical training/work experience requirements of our Association:

Governance Data

- Surveyors Act
- Regulation 1026 of the Surveyors Act
- Academic and Experience Requirements Committee Policy Manual
- Articling Student Handbook

Qualitative Data

- 2010 Survey of Recently Licensed Surveyors
- Success/failure records of recent applicants

Comparison Data

- Canadian Council of Land Surveyors Report on the entrance requirements of provincial surveying associations

Legislation

Section 12 of the *Surveyors Act*, which governs our Association, states:

12. (1) The Registrar shall issue a licence to an individual who applies therefor in accordance with the regulations and,
- (a) is a citizen of Canada or has the status of a permanent resident of Canada;
 - (b) is not less than eighteen years of age;
 - (c) has complied with the academic requirements specified in the regulations for the issuance of the licence and has passed such examinations as the Council has set or approved in accordance with the regulations or is exempted therefrom by the Council;
 - (d) **has complied with the experience requirements specified in the regulations for the issuance of the licence; and**
 - (e) is of good character.

The Regulation referred to in section (d) is Regulation 1026 of the Surveyors Act, and the sections of this Regulation pertaining to experience requirements state:

23. (1) A person shall not be issued a licence or a certificate of registration unless he or she has successfully completed the term of articles prescribed by this section. R.R.O. 1990, Reg. 1026, s. 23 (1).

(4) The term of articles shall include,

Legislation (cont'd)

- (a) at least 225 working days of practical experience in the student's chosen branch of professional land surveying in Ontario of which period at least 150 working days is field experience at the Party Chief level or higher in cadastral surveying, or its equivalent in another branch; and
- (b) at least 113 working days experience in the management and administration of professional land surveying,
- completed to the satisfaction of the Academic and Experience Requirements Committee. R.R.O. 1990, Reg. 1026, s. 23 (4).
- (5) Where an articling student has received working experience in professional land surveying prior to the commencement of his or her term of articles that is comparable to the working experience required under subsection (4), the Academic and Experience Requirements Committee may reduce the time of the required working experience by the lesser of the period of prior experience and six months. R.R.O. 1990, Reg. 1026, s. 23 (5).
- (6) A term of articles shall be under the direction of,
- (a) if the applicant is applying for a licence, a member who became a licensed member at least three years before the beginning of the term; or
- (b) if the applicant is applying for a certificate of registration, a member who has held a certificate of registration for at least three years before the beginning of the term or a person who in the opinion of the Academic and Experience Requirements Committee is competent to provide and direct the approved professional experience. R.R.O. 1990, Reg. 1026, s. 23 (6).
- (7) An articling student shall complete the assignments and examinations that are required by the policies of the Academic and Experience Requirements Committee as approved by the Council.
- (8) An articling student shall satisfy the requirements of subsections (4) and (7) within four years of the commencement of his or her term of articles or by the end of the period as extended by the Academic and Experience Requirements Committee under subsection (8.1).
- (8.1) The Academic and Experience Requirements Committee may extend the period of four years for up to one year if the student has taken parental leave during the initial period and applies to the Committee for an extension before the end of the initial period.
- (8.2) An articling student who fails to complete the requirements within the time period required under subsection (8) may, one year after the expiry of the original term of articles, reapply for articles, at which time the Academic and Experience Requirements Committee shall determine the term and conditions of articles in accordance with its policy.
- (9) All assignments and examinations shall be marked on a percentage basis and a mark of 65 per cent shall be a passing mark. R.R.O. 1990, Reg. 1026, s. 23 (9).
- (10) The Academic and Experience Requirements Committee shall advise the articling student of the results of each assignment or examination submitted by the student within 45 working days after it is submitted. R.R.O. 1990, Reg. 1026, s. 23 (10); O. Reg. 105/98, s. 5 (2).
- (11) Articling students who do not successfully complete the required assignments and examinations may take two additional opportunities to complete each of them. R.R.O. 1990, Reg. 1026, s. 23 (11).
- (12) Each student's term of articles shall be monitored by a member of the Association who is a member of or an assistant to the Academic and Experience Requirements Committee. R.R.O. 1990, Reg. 1026, s. 23 (12).
- (13) The Academic and Experience Requirements Committee shall prepare and make available to all applicants, articling students and members of the Association a student handbook setting out the academic and experience requirements, including examinations and assignments, that an articling student shall complete before writing the professional entrance examination. R.R.O. 1990, Reg. 1026, s. 23 (13).
- (14) An articling student who has satisfied the requirements of subsections (4) and (7) may apply in accordance with subsection 24 (2) to take the next available professional entrance examination conducted by Council. R.R.O. 1990, Reg. 1026, s. 23 (14).
- (15) The Academic and Experience Requirements Committee may waive the term of articles prescribed in this section for an applicant who is a professional land surveyor in good standing in another jurisdiction.

History and Current Practice

Practical experience is gained through the articling process, which is administered through the Academic and Experience Requirements Committee, a statutory committee under the Surveyors Act. This committee traditionally meets four times each year, in January, April, July and September. Academic evaluations are reviewed at every meeting, however new applications for articles are only considered at the January and July meetings.

The articling process might be compared with apprenticeship programs common in numerous trades. Until the early 1970's a high school graduate with the required mathematics and science subjects could apply to the AOLS to be articulated. The term of articles was four years, during which the student had to complete a number of surveying related courses and examinations provided by the Association. Changes to the Surveyors Act in 1970 introduced the baccalaureate level degree in surveying as the minimum academic requirement, but reduced the period of articles from four years to two. Later changes reduced the minimum period to 18 months, with a possible reduction of up to 6 months based on prior work-related experience, resulting in a potential articling period of one year. Changes to Regulation 1026 in 2010 included a clause that allows the Academic and Experience Requirements Committee to waive the period of articles for an applicant who is a professional land surveyor in another jurisdiction.

Applicants who are within three term courses, or equivalent, of completing their academic requirements may apply to be articulated to a surveyor who has been commissioned for at least three years. The student is employed by the surveyor or firm as a regular employee at a salary commensurate with the position and both parties sign an articling agreement. This is a training agreement, not an employment contract, in which the surveyor agrees to provide the student with the required experience and training and the student agrees to serve the surveyor in a professional manner.

The Academic and Experience Requirements Committee appoints an independent monitor for each student, usually from another area of the province to avoid any potential conflict of interest with the student's articling surveyor. As part of the articling application, the articling surveyor must complete a detailed questionnaire stating the types and frequency of the work that the student will be involved in. This questionnaire is reviewed by the committee and is provided to the student's monitor so that he or she can address any deficiencies in the proposed training program. This might be done through the completion of assignments in those areas of practice in which the student's

History and Current Practice (cont'd)

articling surveyor or firm does little or no work and is meant to ensure that each student is exposed to all of the practice areas that might be encountered in his or her career. Students must submit a detailed Work Report to their monitor every three months. The content of this report has been to provide detailed information about three projects that the student has been involved in during that period and to include an explanation of what the student learned from his or her involvement in these projects. The monitor provides a detailed response to the student, providing a critique of the report and perhaps making suggestions or asking additional questions to assist the student in the learning process. As well as providing evidence of the student's experience and progress, this process assists the student in the practice of writing a professional report, a skill frequently required in a professional practice.

In 2010 the Deputy Registrar, on behalf of the Academic and Experience Requirements Committee, asked all members who had been commissioned for five years or less to complete an on-line survey relating to their articling experiences. The responses to this questionnaire overwhelmingly supported the articling process, with over 85% indicating that the monitoring method was effective. However the results did point to some areas of the articling process that should be reviewed.

Comparisons

A review of the articling practices of the other Canadian provincial surveying associations and the Association of Canada Lands Surveyors recently prepared for the Canadian Board of Examiners for Professional Surveyors (CBEPS) shows that all other associations have a similar articling process, with five of the ten having a minimum articling period of two years and the other five having a minimum of one year.

All provinces have signed a Mutual Recognition Agreement under the Agreement on Internal Trade whereby a licensed member from one province may obtain a license in another province by successfully passing a jurisdictional examination on local jurisprudence. To date two surveyors, one from New Brunswick and one from Nova Scotia have completed this requirement in Ontario.

Comparisons with other non-health professional associations indicated the following practical training requirements:

Comparisons (cont'd)

Association of Professional Geoscientists of Ontario

- 4 years of acceptable and verifiable experience
- 1 year reduction possible for pre-B.Sc. experience
- Additional reductions of one year possible for M.Sc. and Ph.D.
- At least 1 year of Canadian or equivalent experience
- Referees used to assess experience

Professional Engineers Ontario

- 4 years of practical experience
- At least 1 year in Canada under a licensed P. Eng.
- 1 year of pre-B.A.Sc. experience may be granted
- May be credit for post-graduate degrees
- Referees used to assess experience

Institute of Chartered Accountants

- Minimum of 3 years of experience in a CA training office under supervision

Law Society of Upper Canada

- 10 months of articles to a practising lawyer

Timeliness of Decision Making

Decisions regarding the evaluation of academic credentials, appeals to these evaluations and the registration of new applicants are made by the Academic and Experience Requirements Committee. This is a statutory committee, and like all of our committees its members are unpaid volunteers. The committee is composed of a cross-section of members (currently eight) from the government and private sector, plus a member of AOLS Council and a Lay member appointed by the Lieutenant Governor. The committee meets four times per year. Academic evaluations are reviewed at every meeting, however applications to article and examination results are only reviewed at the January and July meetings.

By Regulation, examination results must be reported to students within 45 working days, however there are no statutory requirements regarding the approval of academic evaluations or articles. By Academic and Experience Requirements Committee policy, appeals to examination and evaluation results must be made within 30 and 60 days respectively from the date that the original result is received.

The normal timeline for approving the evaluation of a new applicant, regardless of origin, would depend on when the required documentation was submitted. Evaluations can be readied for approval by the Academic and Experience Requirements Committee as long as proper documents are received at least one week before their meeting. The timeline could therefore vary from 3 months, to 2 weeks, depending on when documentation is received.

Appeals would be considered at the next meeting of the committee, which could mean a waiting period of one to two months depending on the timing of the appeal submission. Appeals must be sent to a third party who would submit the results to the committee for consideration.

In 2009 the AOLS received funding from the Ontario Ministry of Citizenship and Immigration to study alternative pathways for Internationally Educated Professionals (IEPs) to attain membership. This study has resulted in our association developing a competency based assessment as an alternative to the course-based evaluation traditionally used. We have now developed detailed competency descriptors for the eleven primary subject matter areas that comprise our academic admission requirements. The competencies approach will provide IEPs with a number of benefits, including:

- A web-based self-assessment tool that will allow IEPs to perform their own self-evaluation prior to emigrating if they wish.

Timeliness of Decision Making (cont'd)

- Evaluators will be able to use the applicant's competencies to design a learning contract that will allow applicants to concentrate on acquiring only specific missing competencies rather than having to take a full university course that might duplicate much of what they already know.
- Applicants will be able to save considerable time and expense by being able to complete missing competencies through self-study, on-line course modules, assignments, etc. that can be completed outside of working hours.

The competency based approach also allows us to evaluate applicants on a continual basis and, although their evaluations must still be approved by the Academic and Experience Requirements Committee, they may begin working on missing competencies immediately rather than waiting for the beginning of a university timetable.

Fees Analysis

The following fees are associated with the AOLS membership process: (All fees are subject to HST)

Academic Evaluation	\$200
Appeal to Academic Evaluation	\$100
Application to Article	\$100
Articling Fee (Annual)	\$80
Field Note Assignment (Cadastral only)	\$100
Examinations (each - three required)	\$150
Lecture Course (mandatory)	\$250
Appeal of Examination Results	\$100

A review of the fees charged by other provincial surveying associations, PEO, APGO, and the OAA indicates a comparable range of fees for these, or similar services.

For the past few years Dr. Michael Chapman, who is a Geomatics professor at Ryerson University, has been offering some AOLS equivalency courses directly to students. These courses do not provide a university credit, but are considered by the AOLS as being equivalent to their corresponding university courses for our purposes. Dr. Chapman has worked one-on-one with some students and also offers a Municipal Planning course via the Internet. Students register through the AOLS and are invoiced by the Association at a rate that is comparable to the cost of an individual university course taken as a special student. This rate is currently \$500 per course and it has not changed for over 10 years. The tuition fees for comparable continuing education courses offered at Ryerson and York universities range from \$514 to \$875 plus HST.

Through funding provided by the Ontario Ministry of Citizenship and Immigration the AOLS has now developed several courses that are virtually always required by IEP candidates, namely Survey Law, Municipal Planning and Communications. These courses will be offered through face-to-face lectures combined with live remote access to these lectures using available software such as GoToTraining. During the development of the Survey Law course, we determined that an introductory law course should be offered to IEP candidates who have had no previous exposure to the common

Fees Analysis (cont'd)

law system used in Ontario. This course, entitled "Introduction to Canadian Common Law" has been developed and the first session was held in February. The first offering of this course is being considered a Beta Test. Nine candidates participated in a face-to-face lecture and four students connected to the live lecture through GoToTraining. As this is being considered a Beta Test, this first group of students is not being charged, however we will have to determine an appropriate fee for future offerings.

All of the courses that are being developed through the Pathways program will in future be offered on a cost recovery basis. Although the fees may be higher than a typical university course the presentation of a course in this fashion actually represents a considerable savings to these applicants as they will not suffer the loss of employment income that usually results from having to attend a course at a university.

Recommendations

Practical Training/Work Experience

Although the survey of recently commissioned members indicated an overall satisfaction with the articling process, some dissatisfaction was noted in specific areas. These included the requirements of the Work Reports, which approximately 70% of the respondents considered difficult, and the content of the field note assignment, which many respondents considered required an inappropriate length of time to complete and did not reflect their normal work experiences.

It is recommended that the Academic and Experience Requirements Committee conduct a review of the Work Report requirements and the Field Note Assignment to determine whether modifications are appropriate.

It is also recommended that the Committee craft a policy statement emphasising the obligations of articling surveyors towards their articling students and the expectations of the Committee in this regard. This Policy Statement should be reviewed with each new articling surveyor and the Committee should consider what actions should be taken to ensure that the articling surveyor meets the obligations of the articling contract.

Timeliness of Decision Making

The Academic and Experience Requirements Committee should develop a policy regarding the continuous intake of applicants who wish to be considered under the competency based approach. Consideration should be given to allowing applicants to enter into learning contracts and begin to fulfill these contracts without having to wait for the next committee meeting.

Reasonableness of Fees

Our review of the current fees related to the application process indicates that they are reasonable and in line with the fees charged by other associations for similar services. It is recommended that the AOLS review these fees annually to ensure that they remain fair and reasonable and are in line with the costs of the services provided.

Implementation Plan

Practical Training/Work Experience

Two sub-committees of the Academic and Experience Requirements Committee have been struck to review the overall articling process. One sub-committee will consider whether changes to the Work Report process from its current format of reporting on recent projects to a more assignment based approach would result in a more balanced exposure to all areas of surveying. The second sub-committee will review the current Field Note Assignment. Both sub-committees will provide progress reports to the April meeting of the Academic and Experience Requirements Committee. Final recommendations will be presented at the July 2011 meeting.

The Committee will discuss the development of a policy regarding articling surveyors' obligations at their April 2011 meeting, with a view to having this policy adopted at their July 2011 meeting.


Timeliness of Decision Making

The Academic and Experience Requirements Committee will discuss the formulation of a policy regarding a continuous intake process for competency based evaluation applicants at their April 2011 meeting and will have recommendations ready for AOLS Council approval at their July 2011 meeting.

Reasonableness of Fees

The AOLS will conduct an annual review of the fees associated with the application process.

I hereby certify that this report contains all of the information requested in the June 14, 2010 letter from the Fairness Commissioner and is accurate to the best of my knowledge.



W. D. Buck, O.L.S., C.L.S., P. Eng.
Registrar



Date