Policy Type: **Registration**	***Effective Date:*** **March 29, 2023**
Policy Number and Name: **3.3 Appeals – Survey Project**	***Revision Date:***
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Rationale

Pursuant to Land Surveyors Regulations made under subsection 12(1) of the Land Surveyors Act S.N.S. 2010, c. 38 O.I.C. 2013-337 (September 10, 2013), N.S. Reg. 308/2013 as amended by O.I.C. 2014-58 (February 25, 2014), N.S. Reg. 32/2014), the Association must grant any applicant for registration the right to an appeal. (see *Procedures for Appeal to the ANSLS Registration Appeal Committee*) which is included as a separate document on the ansls.ca website.

Definitions

"Board" means the Board of Examiners of the Association appointed by the Council to carry out the registration functions as set out in this Act, the regulations, and the by-laws.

"Candidate" means a person who has met the criteria for entry in the candidate roster pursuant to the regulations and who has entered a period of articles with an active member as approved by the Board.

“Canadian Board of Examiners for Professional Surveyors (CBEPS)” means the third-party assessor designated by the Board of Examiners through the authority of the Council of the ANSLS.

“Certificate of Completion” means the certificate from CBEPS required of applicants to illustrate compliance with the academic requirements of the Nova Scotia Board of Examiners.

“Council” means the Council of the Association.

"Executive Director" means the Executive Director appointed by the Council who may be an employee, consultant, independent contractor, or agent appointed by Council.

"Member" means, unless the context otherwise requires, a person whose name is entered on the Register.

"Registration Appeal Committee" means the Registration Appeal Committee appointed by Council pursuant to the Regulations. The Committee is comprised of one public representative and two members of the Active membership register, none of whom were involved in the original decisions regarding articles, exams, or survey project.

"Registration examination" means such examination or examinations as may be approved from time to time by the Board as a prerequisite for qualification as a Nova Scotia Land Surveyor.

"Respondent" means the person who is the subject of a complaint or the subject of a registration appeal pursuant to the regulations.

"Parties" to an appeal before the Registration Appeal Committee are the Association and the appellant. (From the Regulations 21 (4))

Background

The Board of Examiners must register and record the name of a person in the candidate roster who pays the applicable registration fee; successfully completes an approved education program; and enters an articling agreement. The Nova Scotia Board of Examiners has delegated to the Canadian Board of Examiners for Professional Surveyors (CBEPS) the assessment of candidates in respect to the academic requirements for a certificate of completion. The scheduling of examinations required by CBEPS normally takes place in March and October of each year. Details can be found on their website: www.cbeps-cceag.ca. The CBEPS Appeals Process is included as "*Canadian Board of Examiners of Professional Surveyors – Appeals Process*" which is included as a separate document referenced on the ansls.ca website.

It is important to note that an applicant for admission as an active member of the Association must complete all the requirements as set out below but in no particular order. Therefore, the appeals process allows for appeals on decisions regarding any of the requirements for registration and at various points of completion along the way.

The routes open to those who wish to become Nova Scotia Land Surveyors are as follows:

a. Obtain a university degree from an accredited university that would qualify for a "certificate of completion" from CBEPS; or,

b. Graduation from a technology-level program in surveying (e.g., Geomatics Engineering Technology, NSCC Centre of Geographic Sciences, Annapolis Valley Campus, Lawrencetown, Annapolis County, NS) and completion of CBEPS examinations through home study; and

- serve a stipulated period of articling time with a land surveyor practicing in Nova Scotia to the satisfaction of the Board; (section 41 (1 & 2) and Schedule "C" of the ANSLS bylaws;
- fulfill the jurisdictional examination requirements; and
- complete a "survey project" as assigned and approved by the Board.

c. Application for membership via the Canadian Free Trade Agreement and the Labour Mobility Agreement signed by the Canadian survey associations.

Currently, the most common route to become a licensed Nova Scotia Land Surveyor is as follows:

Obtain a bachelor's degree in survey engineering or in survey science from a Canadian university that qualifies for a “certificate of completion” from the Canadian Board of Examiners for Professional Surveyors (CBEPS); and

- serve a stipulated period of articling time with a land surveyor practicing in Nova Scotia to the satisfaction of the Board; (section 41 (1 & 2) and Schedule “C” of the ANSLS bylaws;

- fulfill the jurisdictional examination requirements; and

- complete a “survey project” as assigned and approved by the Board.

Survey Project

Purpose

The purpose of the Survey Project is to ensure that a candidate can complete a typical land surveying project from start to finish. The Survey Project also tests the core competencies of professional written communication, evaluation of evidence, measurement and surveying science and the candidate’s understanding of pertinent acts and regulations.

The project will be reviewed and rated by three special examiners, who will all be members in good standing of the Association of Nova Scotia Land Surveyors, appointed by the Board of Examiners. The candidate will furnish the Board with four complete sets of the plan(s), description(s), report of the completed project and supporting documentation. The candidate will provide to the Board, as part of the report, a representative invoice for the survey services associated with the survey. The invoice will show in detail the number of hours for each segment of the survey, the rates charged for the various classifications of service providers, the rates charged for equipment used and for all consumables. The report will include justification of the rates and incorporate all direct and overhead costs.

The Board, in appointing special examiners, will specify the senior member who will be responsible to the Board for organizing and coordinating the work to be done. The special examiners should be prepared to meet as a group within one month of being designated to review a candidate’s project. At this meeting, the candidate will be present with a complete set of the deliverables noted above and be prepared to defend the survey and report. Candidates are encouraged to contact the Association office to review previous projects, so that they are made aware of what is expected to be presented.

Process

When a Survey Project is submitted by a candidate, the candidate will receive a confirmation email when it is sent to the three assigned special examiners. This notification shall come from the Executive Director of the Association.

The three special examiners will independently review the Survey Project and rate it on the rating sheet which is included as **Survey Project Rating Sheet**. The rating sheet will be kept confidential by each examiner until the point in the process noted below. The examiners also use the **Survey Project Rating Guide** to help guide the process.

Within three weeks (or a reasonable extension thereof for extenuating circumstances) the three special examiners will meet in person to discuss their individual reviews, not the rating at this time.

After this discussion, the candidate will be brought into the review process and the examiners will proceed to interview the candidate with respect to any or all aspects of the Survey Project. When the interview with the candidate is complete, the candidate will be excused.

Immediately on completion of the interview with the candidate the examiners will present the lead examiner their rating sheet. The lead examiner will average the ratings from the sheets, which will be the candidate's preliminary rating. After discussion among the examiners regarding the preliminary rating and his presentation and justification at the interview the examiners may revise their rating(s) with brief justification for change. The lead examiner will again average the ratings, and this will be the candidate's rating for the initial review.

If the rating on all aspects of the rating sheet is 75% or greater the candidate will have successfully completed the Survey Project and the lead examiner will so notify the Executive Director. If the rating on one or more of the aspects is below 75% the examiners may require the candidate to address those aspects of the Survey Project and to resubmit the revised portions of the Survey Project to the lead examiner. The lead examiner will distribute the revisions to the examiners who will review and provide a rating to the lead examiner within two weeks (or a reasonable extension thereof for extenuating circumstances) of receipt.

If the average rating on each aspect of the revisions is 75% or greater the lead examiner will notify the other examiners and the Executive Director of the Candidate's successful completion of the Survey Project.

Any or all the aspects of the rating can be submitted a maximum of three times, including the initial submission. If after the third review the aspects of the rating are still below 75% the Candidate will be required to submit a new Survey Project.

Appeal Process

After completion of any of the three reviews the Candidate can, within 30 days, appeal the decision(s) of the special examiners. At this point the process will cease and the Executive Director will notify the Registration Appeal Committee, the members of which were not involved in the original decisions. Within 60 days of notification, the Registration Appeal Committee members will review the entire project up to the disputed point in the review. The Registration Appeal Committee will follow the same review process as the original examiners and rate the disputed aspects of the Survey Project.

The Registration Appeal Committee can:

(a) Agree with the disputed ratings of the original examiners and order the process to continue.
(b) Disagree with any or all of the disputed ratings of the original examiners and order the process to continue with consideration to the Registration Appeal Committee decisions with respect to the disputed ratings.

If there are further disputes with the original examiners ratings after the process continues the same Registration Appeal Committee will review the Survey Project from that point in the process. The Registration Appeal Committee will either agree or disagree with the original examiners with the same results as above.

All decisions of the Registration Appeal Committee, at any point in the review process, are final.

Supports in Place for the Candidate

The Chair of the NS Board of Examiners or assigned member and articling principal are the primary supports for the candidate throughout the student project process. Additional supports can be found in the Candidate Handbook on the ANSLS website. The Handbook provides an outline that should be used for the Survey Project. This ensures that the information is complete and easy to access by the Candidate.

Objectivity

Registration Appeals Committee members and special examiners will use the rating document(s) approved by the Nova Scotia Board of Examiners. Consistent decisions are made by using the rating document regardless of who is rating the Survey Project. Each Survey Project is independently rated by three special Examiners to ensure that any potential biases are mitigated.