Indiana Statutes and Rules for Professional Engineering Licensure

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Disclaimer

The speakers are expressing their own views and opinions on the matters being discussed and do not represent the official views of the State Board of Registration for Professional Engineers, the Indiana Society of Professional Engineers, or Purdue University.

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Acknowledgments

Members of the Indiana State Board of Registration for Professional Engineers

- Jason Durr, P.E.
- Stephen Gillman, P.E., Vice Chair, 2021
- Tim Jensen, P.E., Liaison to AG
- Opal Kuhl, P.E., Chair, 2021
- Greg Morical, Public Member
- Sam Reed, P.E.
- Susan Zellers, P.E.
- Board Director, Amy M. Hall

Robert Elliott, Purdue Conferences

Darcy Bullock, P.E., Dir., Purdue Joint Transportation Research Program

Kym Pelfree, Operations Manager, Purdue Joint Transportation Research Program

Quiz

- You are invited to complete the Quiz as we progress through the course
- It will be administered at the end of the presentation and will be used to:
  - Confirm your attendance at the session
  - Responses to the questions on the course will be graded.

Outline

- Expectations for this Session
- Indiana Code vs Indiana Administrative Code
- Selected Statutes and Rules applied to Practice of Engineering
  - Registration by Comity
  - Registrant’s Seal
  - Computer Based Testing for FE and PE exams
  - Rules for Continuing Education
  - Audits for 2018 Renewals
- Board Structure, Appointments and Future Issues
- Legislative Matters and Professional Licensure
- Closing Comments, Questions, and Discussion

Changes from Previous Version

- Application for Licensure from engineers without an ABET EAC accredited degree
- Information on Computer-Based PE Exams
- NCEES Record for Comity
- Information on the Indiana Board of Registration for Professional Engineers
- Pending Federal legislation concerning public utilities
- Registration Board Newsletter
Expectations

- By the end of this session, you will:
  - Be more knowledgeable about the Indiana Statutes and Rules
  - Know where to get accurate information about them.
  - Learn about how Continuing Education rules are working
  - Have an overview of:
    - Computer Based Testing for PE Exams
    - NCEES Continuing Education Tracking service
    - Functioning of the Registration Board

Indiana Code (IC) and the Indiana Administrative Code (IAC)

- The Indiana Code contains the laws established by the legislative process.
  - The IC that addresses the professions is: IC 25-1-11
  - Professional Licensing Standards of Practice
  - Defines Boards
  - Empowers Boards to make Rules
  - The IC that addresses the practice of engineering is: IC 25-31 PROFESSIONAL ENGINEERS
  - Regulation of Engineers
  - Creation of Engineering Board

Indiana Administrative Code (IAC) 864

- The Indiana Administrative Code (IAC) is a compilation of the text of all permanent Indiana administrative rules.
  - The rules created by the boards
  - Approved by the procedures set up in the IC.
  - 864 IAC applies to the Practice of Engineering
  - It frequently refers to the IC for authority and guidance.
  - 864 IAC ARTICLE 1.1. ADMINISTRATION; GENERAL REQUIREMENTS
    - Within Article 1.1 are the Rules for Engineering Licensure ([http://www.in.gov/legislative/iac/iac_title?iact=864](http://www.in.gov/legislative/iac/iac_title?iact=864))

2018 Changes to Rules of the Board

- Clarify accredited degree to “EAC ABET”
- Clarify examination attempts timeline,
- Update Seal definition
  - the registrant’s original handwritten, electronic, or other signature recognized under Indiana law
- Reduce the fee for comity from $500 to $300
- For applicants without ABET EAC BS degree
  - Increased total number of credits from 44 to 54
  - Increased flexibility on Math and Science
  - Creates new category of “Additional Engineering Topics”

New Supplemental Information Form
Steps to Professional Licensure

1. Graduation from program in engineering acceptable to the Board *(EAC ABET accredited)*

2. Passing the Fundamentals of Engineering (FE) Exam

3. Four years of engineering practice experience
   - One year granted for MS degree in engineering
   - Two years granted for PhD degree in engineering

4. Passing the Principles and Practice (PE) Exam


Rules of the Registration Board 864 IAC 1.1-2.1-4 Definitions and work experience

Rule 2. Qualifications for Examination

- Fundamentals of Engineering Exam (FE exam)
  - Ordinarily students in an ABET EAC accredited engineering program take the exam, typically in the last year before graduation.
  - With the implementation of Computer-Based Testing for the FE, nearly anyone may apply to take the FE exam. Permission of the Registration Board is not needed.
  - Optimal time for taking it is in senior year.

Principles and Practice Exam

- Be certified as an Engineering Intern
- Experience Requirements (in Indiana must be completed at the time of application, i.e. no Co-Op or Internships experience counts)
  - For EAC ABET accredited BS program, 4 years of engineering experience after BS degree acceptable to the Board.
  - M.S. degree in engineering counts for 1 year, PhD degree counts for 2 years. (Max. of 2 years for education beyond BS.)
  - Other durations required for non-EAC ABET BS engineering program
- References
  - At least five (5) favorable reports of the engineering applicant’s competence of which three (3) must be from registered professional engineers familiar with the applicant’s engineering work

PE Exams

- Each exam for Civil Engineers is a breadth and depth examination. This means that examinees work the breadth (AM) exam and one of the five depth (PM) exams.
  - http://ncees.org/exams/pe-exam/
  - Link provides topics covered on the exams and pass rates.
  - Link to transitions to new CBT exams
  - Practice Exams available at:
    - http://ncees.org/exams/study-materials/

PE Civil Exams

http://ncees.org/engineering/pe/

- Civil: Construction
- Civil: Geotechnical
- Civil: Structural
- Civil: Transportation
- Civil: Water Resources and Environmental

PE Mechanical Exams

http://ncees.org/engineering/pe/

These links give PDF files with latest design standards for the current exams in each subdiscipline

- Mechanical: HVAC and Refrigeration
- Mechanical: Machine Design and Materials
- Mechanical: Thermal and Fluids Systems
Recent PE Exam Pass Rates
http://ncees.org/engineering/pe/pass-rates/

<table>
<thead>
<tr>
<th>Exam</th>
<th>Volume</th>
<th>First-time takers</th>
<th>Repeat takers</th>
<th>Format</th>
<th>Availability</th>
<th>Last updated</th>
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<tbody>
<tr>
<td>PE Agricultural and Biological</td>
<td>16</td>
<td>69%</td>
<td>31%</td>
<td>P&amp;P</td>
<td>1x / year</td>
<td>Dec-20</td>
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<tr>
<td>PE Architectural</td>
<td>72</td>
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<td>34%</td>
<td>P&amp;P</td>
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<tr>
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<td>33%</td>
<td>P&amp;P</td>
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<td>Jan-21</td>
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<td>PE Civil Construction</td>
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<td>36%</td>
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<td>Dec-20</td>
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<td>PE Mechanical Machine Design and</td>
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<td>PE Metallurgical and Materials</td>
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<td>69%</td>
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<td>Year round</td>
<td>Jan-21</td>
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<td>35%</td>
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<td>Jan-21</td>
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<td>PE Naval Architecture and Marine</td>
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<td>32%</td>
<td>CBT</td>
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<td>Jan-21</td>
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<td>37%</td>
<td>CBT</td>
<td>Year round</td>
<td>Jan-21</td>
</tr>
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</table>

Recent PE Exam Pass Rates, Cont’d.
http://ncees.org/engineering/pe/pass-rates/

<table>
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<th>Availability</th>
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<td>63%</td>
<td>37%</td>
<td>CBT</td>
<td>Year round</td>
<td>Jan-21</td>
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</table>

Computer-Based Testing

- Computer-Based Testing for the FE exams began on January 2014.
- Four, three-month long testing windows each year
- Test duration is 6 hours
- Done at Pearson Vue testing centers
- Other disciplines will follow; all by 2024
- All except Nuclear will be available Year-round.

FE Exam

- The FE is designed for recent graduates and students who are close to finishing an undergraduate engineering degree.
- The FE exam, once passed, never expires.
- After passing the FE exam, a person must apply to the appropriate State Board to become an Engineering Intern; in Indiana pay $10 fee.

Registering for FE & PE Exams

- To register, log in to your MyNCEES account, select the REGISTER button, and follow the onscreen instructions.
**FE & PE Exam Information**

- Learn more about exam and exam environment by reading the rules and policies at: [http://ncees.org/exams/examinee-guide/](http://ncees.org/exams/examinee-guide/)

**CBT FE, FS, PE, & PS Registration Process**

- Register and pay for the exam (credit card only)
  - $175 for FE & FS Exams
  - $375 for PE and $300 for PS Exams
- Receive authorization notification from NCEES to schedule an exam.
- Schedule the exam (through MyNCEES account).
- Receive the appointment confirmation letter from Pearson VUE.

**Additional Registration Information**

- Registration for CBT exams (good for 1 year)
  - $50 fee if need to reschedule the exam
- Indiana Engineering and Surveying Boards do not require permission to register for FE and FS (change from past)
- Schedule to take the exam at NCEES.
  - Must be taken at any Pearson Vue Testing Center
  - There are 7 in Indiana (South Bend added 2015)
  - Can take in other states
  - Seats may be limited
  - Purdue has an approved center in Schleman Hall, Room B42.

**NCEES “Chat now” service**

[www.ncees.org](http://www.ncees.org)

**Rule 5. Comity Registration**

[https://secure.in.gov/pla/2741.htm](https://secure.in.gov/pla/2741.htm)

- Registration in Indiana for person registered in another state
- Applicant must meet the educational, experience, and examination requirements for registration in Indiana.
- Rules for registration vary
  - Among states
  - With time that original registration occurred
- Fee reduced from $500 to $300 in 2018
- Determination of comity made by the Board

**Expedite Comity with NCEES Record**

[http://ncees.org/records/](http://ncees.org/records/)

**NCEES Records** is a service designed for engineers seeking comity licensure. One-time fee of $175, no annual fee. There is a $75 transmittal fee.

**Steps for completing the Record application process:**

1. Applicant creates an account
2. Applicant completion of all sections of the online application
  - Seven sections — Education, Examinations, Licensure, References, Questions for the Applicant, Experience Record, and Payment Information.
3. NCEES verifies application information
4. NCEES reviews and verifies all transcripts and responses from references and employers.
5. NCEES notifies applicant and provides a Record Number
NCEES Model Laws, Rules, and Continuing Professional Competency (CPC) Guidelines

- NCEES (National Council of Examiners for Engineering and Surveying)
  - Membership: Board members from all states and territories
  - Creates and maintains:

Rule 7. Registrant’s Seal

864 IAC 1.1-7-3 Application of seal; signature
Sec. 3. (c) When a registrant is in responsible charge of engineering work for which one (1) or more:
(1) specifications;
(2) plans; and
(3) drawings;
... the registrant shall apply the seal in the full manner required by this section on each page of all drawings or plans and on the title page of all specifications.

864 IAC 1.1-7-4 Use of seal and signature; acceptance of full responsibility
Sec. 4. (a) The seal and signature of a registrant on any drawings, documents, or instruments signifies the registrant’s acceptance of full responsibility for the professional work represented thereon, except as another registrant shall have assumed a limited responsibility for portions of the work in accordance with section 3(d) of this rule.
Steve Gillman takes over.
Drnevich, Vincent P, 1/19/2021
Electronic Documents and Seals, What is the Difference?

An **Electronic Signature** is an electronic version of the physical, handwritten signature. Just the way you sign your documents, electronic signatures are used the same way. Instead of using a pen to sign a document, you can easily sign documents with just a click or your fingerprint.

A **Digital Signature** is another breed of the electronic signatures, the only difference is that it involves the use of a code or algorithm to sign and validate the authenticity of a document. Unlike electronic signatures, digital signatures come under specific standards and a stringent verification process. They not only sign the document using a code, they encrypt data. ‘Secure’ is a small word, encryption makes your documents **INVINCIBLE** against cyber-attacks.

**INDOT Electronic Documents**

"Wet signature" on original document scanned to PDF file

Image of signature inserted on original. Document scanned or printed to PDF file. With scanning/printing, signature becomes "flat", i.e. integral part of the document. Original document scanned or printed to PDF file and then digitally signed. If file is opened without a key or is altered, signature disappears.

- Signature could include the seal.
- At present, INDOT accepts all three forms.

**Rule 15. Continuing Education**

- Adopted in August 2010
- Requirements must be met for every renewal starting July 2012
- Rules were updated in 2014

**Summary of the Indiana Rules**

A copy of the rules is available at: https://www.in.gov/pla/2747.htm

1. Thirty hours of continuing education will be required over the biennium
2. As many as 15 hours may be carried over from one biennium to the next
3. In each biennium, one (1) hour on the Indiana statutes and rules governing the practice of engineering is required (a course like this one)
4. In each biennium, one (1) hour on ethics applicable to the practice of professional engineering is required
5. Web-based and other electronically delivered courses are allowed
6. Courses which are part of the curriculum of an accredited university, college, or educational institution, shall earn:
   - (1) fifteen (15) hours of continuing education for each academic semester hour completed; or
   - (2) ten (10) hours of continuing education for each academic quarter hour completed

**Summary of the Indiana Rules, Cont’d.**

7. Credit for teaching courses at an accredited university, college, or educational institution for the first time will carry two (2) times the hours obtained by students in the course, but only for the initial instruction.
8. Services as an instructor or presenter at a qualified continuing education course earn two (2) hours* of continuing education for each hour taught, but only for the initial instruction or presentation.
9. Active participation in educational outreach activities with kindergarten to grade 12, or higher education, e.g. JETS, MathCOUNTS, EPICS, Engineering Week, student chapter advising, etc. (max. 1 PDH per activity, and a max. 2 PDHs per biennium)*
10. Active participation in a professional or technical society relating to the practice of engineering (1 PDH per year of service and, max. of 2 PDHs per biennium)*

* Changed, January 1, 2014

**Summary of the Indiana Rules, Cont’d.**

11. Authoring of published papers, articles, or books relevant to the professional engineer’s practice of engineering (10 PDHs), but 5 PDHs if in peer reviewed/archived journal, in the biennium in which the publication occurred, 1 article per biennium*
12. Attainment of a patent relevant to the professional engineer’s practice of engineering (10 PDHs for each patent)*
13. Provisions exist for hardship cases (detailed process, typically for people in armed services or for those with or caring for people with serious illnesses.)
14. Provisions exist for obtaining Inactive Status where no continuing education would be required, but the licensee could not practice engineering while in the status of inactive.

* Changed, January 1, 2014
Individual's Strategy for Compliance

• Judiciously choose courses and activities
  • Approved providers – some have not been updated
  • Designed to directly enhance the practitioner's knowledge and skill

• Log Keeping
  • Maintain Portfolio for three years after end of biennium
  • Certificates to validate participation for all items
  • At time of license renewal, you will be asked to check a box indicating that you have completed the Continuing Education requirement.

• NCEES established a registry of Continuing Education courses for individuals.
  • http://ncees.org/cpc/
  • It is free of charge!

Free Continuing Education Tracking
http://ncees.org/cpc/

• Information Entry
  • Log into your MyNCEES account and select the appropriate state licensing boards; enter renewal period information for each.
  • Enter Continuing Education course information and professional development hours (PDH)
  • Upload supporting information, e.g. certificates
  • View a side-by-side comparison of the state’s requirements and your completed courses.
  • Transmit your completed report electronically to a state licensing board.

Consequences of Non-Compliance

• Audits
  • 1% to 10% of Licensing Holders Audited and Review Process
  • In Fall 2018, 134 audit notices were sent.
  • Required COPIES of certificates of completion or transcripts totaling thirty (30) hours including one (1) hour in Indiana Statutes and Rules and one (1) hour of Ethics
  • Initially, approximately 1/3 were deficient or did not provide adequate documentation
  • Board action will be taken on about 10% audits.

• Penalties and Enforcement
  • Possible loss of license
  • Fine up to $1,000, possibly $5,000 for flagrant violations.

Approved Continuing Education Courses

• A continuing education provider may apply to the Board to become an approved provider
  https://forms.in.gov/Download.aspx?id=8658
  • Must provide a report each year by Feb. 15th
  https://mylicense.in.gov/everification/SearchResults.aspx
  • Approx. 72 orgs. listed as Active
  • Approx. 120 orgs. Listed have Expired authorization.

• In most cases, continuing education courses that satisfy licensure requirements in other states will be accepted in Indiana
  • Exception course on Indiana Statutes and Rules
  • Final decision made by the Board

Board Appointments and Structure
IC 25-31-1-3

(a) The board consists of seven (7) members, six (6) of whom shall be registered professional engineers.

(b) Subject to IC 25-31-1-3 Sec. 3, one (1) member must be appointed to represent the general public who is:
  (1) a resident of this state; and
  (2) not associated with professional engineering other than as a consumer.

(d) All members of the board shall be appointed by the Governor.
Board Appointments and Structure
IC 25-31-1-3

(f) A person appointed as a professional engineer member of the board must:

(1) be a citizen of the United States;
(2) resident of Indiana for a period of at least five (5) years immediately before appointment;
(3) be registered as a professional engineer and must have been engaged in the lawful practice of engineering for at least twelve (12) years; and
(4) responsible charge of engineering work or engineering teaching for at least five (5) years.

(g) Every member of the board shall be appointed for a term of five (5) years and shall serve until the member's successor is appointed and qualified.

http://in.gov/gov/2331.htm
http://in.gov/gov/files/BackgroundInformationforBoardsandCommissions-Updated.pdf

2021 Chair and Vice Chair Indiana Board of Registration for Professional Engineers

Opal Kuhl, P.E. Board Chair
Opal recently retired as Executive Director of the Tippecanoe County Highway Department. She has a B.S. and M.S. in Math Education. Opal is a Nebraska native and taught mathematics for thirteen years before completing a B.S. degree in civil engineering from the University of Nebraska.

Steve Gillman, P.E. Chair
Steve retired from Eli Lilly and Company at the end of 2013 where he was Vice President of Health, Safety, and Environment. Born in Brookville, Indiana, Steve received a Bachelor of Science degree in chemical engineering from Rose-Hulman Institute of Technology.

Changes in the NCEES Model Law and Rules

• FE and FS Exams can be taken at any time by anyone.
• PE Exam can be taken at any time after passing the FE Exam (Uncouples Work Experience and PE Exam)
  • 14 States now allow.
• NCEES considering allowing persons with ETAC-ABET degrees to be eligible for licensure in the Model Law. (2019 Conf. discussed but did not pass.)

Legislative Matters and Professional Licensing

Threats to Professional Licensure
https://www.nspe.org/resources/issues-and-advocacy/action-issues/threats-professional-licensure

Alliance for Responsible Professional Licensing
responsiblelicensing.org

• Coalition of national associations representing highly complex, technical professions
• Created to ensure unified voice for advanced professions
Industrial Exemption in Indiana
IC 25-31-1-20

Exempt persons
(a) An employee or a subordinate ....

(b) This chapter does not require registration for the purpose of practicing engineering by an individual or a business:

(1) on property owned or leased by that individual or business unless the engineering practice involves the public health or safety, or the health or safety of the employees of that individual or business;

(2) for the performance of engineering which relates solely to the design or fabrication of manufactured products; or

(3) that is registered as a landscape architect under IC 25-4-2 and while the individual or business is engaged in the practice of landscape architecture planning the use of land or water.
Be sure to submit your QUIZ and EVALUATION sheet

Failure to do so will result in not getting credit for this course.

This completes the "Indiana Statutes and Rules" course!

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• Phone: (765) 413-9794

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• Phone: (317) 872-5829