

TO: NSPE Board of Directors

cc: NSPE Committee, Task Force, Council and Interest Group Chairs
State Society Presidents and Presidents-Elect
State Society Executives Council
NSPE Past Presidents

FROM: Mark J. Golden, FASAE, CAE 
Executive Director & CEO

DATE: January 15, 2019

RE: Board Update: January 1–15, 2019

Each of these twice-monthly reports ends with a reminder of other information resources available to state and national leaders. While, by definition, “boilerplate,” it is most definitely not information that is stale or unimportant. But recognizing that through repetition and familiarity, it is easy for busy people to overlook, for this first report covering the new year, I am moving it up front, just this once:

As NSPE continues the process of updating its strategic plan to more fully leverage the Society’s strength as a unified and integrated network of national and state elements, we are pursuing an open, comprehensive, and intensive effort to ensure a planning and operational framework that maximizes strategy, business and operations, branding and messaging, and value propositions.

This planning effort explicitly recognizes the three core customer bases that NSPE must satisfy in order to fulfill its mission: NSPE members and potential members; NSPE state societies; and NICET certificants, their employers, and potential certification services customers.

Today this is done through NSPE and its state partners’ lines of business that include: membership; mission-driven activities; nondues revenue generation activities, including NSPE programs and NICET; and a variety of other activities. The overarching intent is to drive growth—growth through increased membership and participation (engaging more people and engaging them more fully); growth through increased profitability for national, state societies, and NICET; and growth in mission impact at all levels.

NSPE’s updated strategic plan will identify and define the value the organization can provide to its customer bases that result in the greatest mission impact and

NSPE encourages states to use the information in this report in newsletters or other updates to their membership to inform members on the activities of NSPE. As a suggestion, it may be most useful to take the bullets of most interest from the transmittal email. The full report (and past reports) can always be found [online](#).

growth opportunity at all levels: national, state, and chapter. We are doing this through market- and member-intelligence gathering, analysis that reveals challenges and opportunities, assessing the capabilities of the current organization, and national and state leader discussion and decision-making.

You can check in on the planning process and history in the linked [timeline](#).

And remember, you always have access to numerous NSPE leadership resources in the [Leadership Toolbox](#). This includes [talking point](#) scripts and presentations for use by NSPE officers, board members, and other leaders during state visits, chapter meetings, or other venues to promote NSPE and its activities, updated on an at least quarterly basis.

The [State and National Leaders](#) community page is not only a direct means of engaging, sharing ideas, and asking for advice from your peers in leadership across the country, it is your link to data, reports, and analysis on membership, programs, and activities to better inform and support your leadership duties at the national, state, and chapter levels.

Current board members can access an online library of board meeting materials (past, current, and future) through the online board book site, ([BoardBookIt](#)).

If you want to review NSPE’s history and how that has been translated into current plans with a future-focus, NSPE’s purpose, mission, vision and a history of the *Race for Relevance* and the resulting strategic plan is summarized in the section “[Who We Are and What We Do](#).”

Championing the PE License

Massachusetts Pipeline Bill Becomes Law: On December 31, Massachusetts Governor Charlie Baker signed a bill that [eliminates the engineering license exemption for gas pipeline industry engineers](#). This legislation was a direct result of the NTSB’s preliminary [recommendations](#), developed in consultation with NSPE.

Federal Court Ruling Preserves “Professional Engineer” Designation: A federal judge has [ruled](#) that an Oregon man was within his First Amendments rights when he referred to himself as an “engineer,” even though he was not licensed as a professional engineer. This ruling does not, in any way, weaken or change the fact that only PEs may engage in the professional practice of engineering in the state, nor that only licensed individuals may call themselves professional engineers or PEs.

The ruling on December 28 by US Magistrate Judge Stacie Beckerman stems from a case that began in 2016, when the Oregon Board of Examiners for Engineering and Land Surveying fined Mats Järllström \$500 for referring to himself as an “engineer” in documents sent to the board and in media interviews. Järllström’s case began when he submitted a letter and calculations to the board, calling into question the timing of red-light cameras,

after his wife received a ticket for a red-light violation. In the letter, Järllström, who earned an electrical engineering degree in his native Sweden, referred to himself as an “electronics engineer,” which the board said violated state law regarding use of the title “engineer.”

Although recognizing his right to use the generic term “engineer” publicly and privately, the judge’s ruling was limited. The judge determined that Järllström may study, communicate publicly about, and communicate privately about, his theories relating to traffic lights as long as his communications occur outside the context of an employment or contractual relationship relating to the timing of traffic lights with a governmental or other entity that changes or implements or has final approval to change or implement traffic-light timing without the review and acceptance of responsibility by an Oregon-licensed professional engineer.

While Oregon is one of the few states with legislation attempting to regulate the general use of the term “engineer,” and this ruling is a setback for those provisions, it is important to stress that this ruling does not in any way weaken or change the fact that only PEs may engage in the professional practice of engineering as defined by the state, nor that only licensed individuals may call themselves professional engineers or PEs.

Legislative Outlook: In her [feature article](#) in the latest *PE* magazine, Manager of Government Relations and Advocacy Stephanie Hamilton provides an overview of upcoming legislative issues important to NSPE. They include threats to licensure, infrastructure, criminal history as it relates to licensure, license mobility, STEM education, and emerging technologies.

While NSPE representatives continue to meet with members of Congress and federal agencies, Hamilton urges members to also make their voices heard. Recent studies have shown that constituent opinions strongly influence an elected official’s position on an issue or bill.

NSPE will help—for instance, we can assist state societies in offering an Advocacy 101 webinar. As Hamilton says, “We’ll have a lot of opportunities this year to effect real and positive change. And each of you will have the chance (possibly many chances) to be a part of it.”

In this line, the government relations team is working with staff from NCEES and ACEC to hold an hour-long [webinar on the organizations’ 2019 legislative priorities](#) on Wednesday, January 23, 2:00–3:00 p.m. Eastern. Staff from all three organizations will discuss the most pressing issues they face and discuss possible advocacy opportunities.

Ongoing Activities: More broadly, the government relations and advocacy team has begun identifying members of Congress and state lawmakers who are strategically important to

our 2019 legislative efforts. These include members of key committees and caucuses as well as those who have supported NSPE issues in the past.

In addition, we are planning future webinars and podcasts, with a special focus on grassroots advocacy, and ways to encourage and equip our members to build influential relationships with their elected officials.

Both the American Legislative Exchange Council (ALEC) and Institute for Justice (IJ) are continuing their attack on professional licensure with “consumer choice” bills that allow anyone to practice any profession they want, as long as they disclose their unlicensed status to consumers. NSPE continues to monitor state and federal legislative activities, work behind the scenes (directly and through numerous coalitions), while also planning a series of op-eds outlining the importance of professional licensure and the role it plays in effectively protecting the public health, safety, and welfare.

More Than Just Licensure: Professional Certifications Face Challenges, Too: Independently, and in conjunction with the Professional Certification Coalition, NSPE and its NICET division continue responding to actions by state and local legislatures/agencies that threaten the use of professional certifications by engineering technicians and engineering technologists.

In late 2018, NSPE sent a letter to the Washington State Fire Marshal’s Office to attempt to preserve NICET certification as the best, and only, means to qualify fire protection technicians. (A similar effort was successful in Louisiana earlier in 2018.) But efforts failed in a case in Iowa when the state fire marshal agreed to accept what many consider an inferior (“cheap and easy”) certificate program as equivalent to NICET certifications.

NICET and advocacy staff will be preparing talking points to share with state and local agencies on the separate but important roles that both licensure and professional certification play in protecting the public health, safety, and welfare; attributes of professional certification programs versus certificate and/or education programs; and the value of NICET certification in meeting their quality objectives. Staff is also preparing model regulations for use by state and local agencies when requiring third-party credentials.

Ethical Guide to the Profession

On January 15, NSPE representatives including NSPE President-Elect David Martini, NSPE Past President Kodi Verhalen, NSPE Deputy Executive Director and General Counsel Art Schwartz, and I met with the ACEC Risk Management Committee to discuss professional issues of mutual interest and concern. NSPE and ACEC will be working to create a guideline for individual members, firms, and companies that want to encourage the development of risk management skills. The guideline will include case studies on

engineering firms that have successfully developed “hands-on” risk management training programs for employees and will identify course material to assist new professionals.

Powering Professional Advancement

New Inventory of 15 Free PDHs: By the time you read this, we will have launched the [2019 15 free webinars](#) (and state societies can promote them as a member benefit of their state’s integrated membership).

- Advancing Your Career: Seven Essentials Principles to Set Yourself Apart
- Architects & Engineers Claims Risk: Impact of Changing Technology and Inexperience
- Engineering Career Development: How to Manage and Retain the Future Workforce
- Engineering Ethics: Marketing Communications and Employment*
- Engineering Ethics: The PE and Domestic and International Gifts*
- Engineering Ethics: The PE and Sustainable Development*
- Engineering Ethics: The PE as an Expert Witness*
- Hurricane Engineering Response: Restoring Power to Puerto Rico
- Introduction to the 2018 EJCDC Construction Series Documents
- License to Succeed: Compliance for Architecture, Engineering, and Construction Firms
- Navigating Successful Project Delivery
- Prevention through Design
- Qualifications-Based Selection (QBS) and its Importance to Engineering and the Public
- Staying Relevant: The Lifelong Learning Journey
- Understanding Wastewater Engineering*

(Items marked with an * are preapproved in New York; NSPE is an approved provider in Florida.)

Lining Up the Spring 2019 Live Webinars: Planning is underway for five new live webinars:

- March 6, 2019: Engineering Ethics—Conflicts of Interest
- March 27, 2019: How Engineers Create Added Value
- April 10, 2019: Engineering Ethics—Business and Professional Issues
- May 8, 2019: Engineering Ethics—Emerging Issues
- May 29, 2019: NICET—Developing a Qualified Workforce

And Let's Not Forget the 2019 Professional Engineers Conference: We are also moving forward with plans for Professional Engineers Conference 2019, July 17–21, in Kansas City. Our conference planning team is developing content, building web pages and registration, and seeking sponsors.

First State-National Webinar Coming Up: NSPE is working with the Utah Society of Professional Engineers to develop a webinar designed specifically for the states' members. This is the first webinar partnership with a full-service state society.

Uniting the PE Community

Membership Marketing Campaign Off to Strong Start: The results of the first phase of our recruitment campaign are in and were highlighted in an [infographic](#) posted to the State and National Leaders Community. December was a very successful campaign with 283 new/or rejoin members to the organization, resulting in over \$46,000 in state dues generated for state societies, who bore no part of the campaign cost). NSPE also saw a sizable return in national dues, even after bearing all campaign costs.

We will be embarking on the campaign's next phase, involving emails, direct mail, and social media outreach after the new 15 free courses for 2019 are live and accessible on January 15. Messaging for these parts of the campaign are still being developed, and we will share our progress and messages as we move closer to our "go live" date. * (The campaign dates in the original [recruitment plan](#) show this second phase beginning January 9, but this date was adjusted to accommodate the launch of the new 15 free courses.)

[Message samples](#) from the first campaign are also in the Community Library for your reference.

Several states have expressed interest in coordinating recruitment efforts around these next phases, and we will be in touch with those states as messages are tested and finalized. If your state is interested in coordinating efforts, or if you have any questions related to the previous efforts or next campaign, please don't hesitate to contact [Stacey Ober](#).

Constant Contact: NSPE is now reaching members approximately 173,000 times per month with news of the profession via *PE* magazine print edition, *PE* magazine digital edition, *Daily Designs*, *PE Scope*, and *NSPE Update*. Updating the NSPE website with new content is a constant effort, which now reaches approximately 200,000 users per quarter.

New and Improved NSPE Podcast: The podcast team has been meeting to plan upcoming podcast episodes in our new shorter, more focused format. We are planning a FEYA winner interview, EWeek coverage, and interview tie-ins with *PE* magazine articles (such as the recent one on "[beer engineering](#)").

NSPE-Provided State Society Websites: Per the new membership business model, national is now working with integrated state societies to manage nine state websites. In the past month, these sites had 5,191 unique visitors:

- California: 2,506
- District of Columbia: 319
- Guam: 400
- Hawaii: 330
- New Hampshire: 228
- Rhode Island: 420
- Utah: 345
- West Virginia: 317
- Wyoming: 326

State Society Newsletters Gain Traction: NSPE is now producing and distributing 22 state society newsletters (12 monthly and 10 quarterly), which have a solid 35% open rate.

Producing state newsletters is a multidepartment effort, and following initial implementation, we recently met to discuss streamlining the process of gathering content from state societies and producing the quarterly and monthly newsletters, including adding NSPE newsletters for members in nonintegrated states, starting in March.

State Society Meetings: Planning for [NSPE officer visits to state society meetings](#) begins to pick up again this month. Executive Office staff works with leadership and state society representatives to make certain visits are mutually productive and help build strong partnerships by allowing officers to meet with NSPE leaders and members across the nation.

Record-Breaking NAFE Conference: NSPE President Michael Aitken participated in the 2019 National Academy of Forensic Engineers Winter Conference in Orlando, on January 4–6. The Academy had record-breaking attendance, including many “first timers” who have since become new NAFE members and NSPE members. Among the meeting highlights: a “behind the scenes” Disney Imagineering preconference VIP tour of the Disney Animal Kingdom Avatar Pandora ride (concept, design, construction, operation, and maintenance) featuring audio-animatronics, 3D holograms, and the latest cutting-edge 3D flying simulator. In addition, following a full day of forensic engineering technical sessions, the NAFE Winter Conference featured a second day devoted to several ethical and legal issues of interest to forensic engineers including a “Mock Forensic Engineering Deposition Session” and a session on “Insurance Fundamentals for Forensic Engineers.”

NICET

NICET Testing Services: After a slight dip in October 2018, testing activity rebounded in November to nearly budgeted expectations, and December testing exceeded budget expectations by 100 exams.

Pilot-testing of the new Water-Based Systems Layout – Level III examinations concluded on December 31, and final tests scores will now be calculated and reported to all candidates who participated.

NICET Evaluation Services: Candidate work experience evaluations continue to be completed within 45 days or less after candidates successfully complete examination requirements; most are completed in significantly shorter timeframes. The down-side of quicker turnaround time with evaluations is that fewer candidates are now paying extra for an expedited evaluation.

NICET General Services: Certificants up for renewal are currently being processed/recertified within two weeks after receipt of their continuing professional development paperwork. Individuals who upgrade their certification within their three-year recertification period now automatically qualify for recertification. As staff contact them to confirm this automatic qualification, many of these “relieved” certificants renew quickly, and often early.

Program Development: An item-writing workshop for Inspection & Testing of Water-Based Systems – Level I is scheduled for January 14–15 at NSPE HQ. Work on the Level II and Level III tests is being scheduled for later in 2019.

A job task analysis workshop for the new Underground Utilities Construction Inspection program is scheduled for January 16–18 in Alexandria. The current goal is to publish Level I and Level II exams—and possibly Level III exams—in 2019.

Test update activities continue with several other NICET programs:

- Preparing Fire Alarm Systems – Level IV for publishing in January.
- Item writing/review for Water-Based Systems Layout – Level IV. Remote score-setting planned for next week.
- Item writing for Inspection & Testing of Fire Alarm System – Level I
- Item writing for CMT / Concrete -Level IV

NICET will be launching pilot-testing phase for hands-on performance testing with Construction Materials Testing – Asphalt, Concrete, Soils and Aggregates in January with single training consultant. North Carolina’s Department of Transportation’s Materials

Engineer division agreed this week to sponsor pilot-testing within their agency, which is a huge win for NICET¹.

NICET Communications: NICET staff regularly interact with approximately 50 customers daily, answering questions about testing, work experience evaluations, recertification, and a host of other NICET topics. As a result of these interactions, NICET's Net Promoter Score among customers we interact directly with has consistently been over 50 the past three years. (Net Promoter Scores can range from -100 to +100. Using this measure, a score of -100 means every respondent is a "detractor." A score of +100 means every respondent is a "promoter.")

NICET will be hosting another meeting of state Department of Transportation representatives at the Transportation Research Board Annual Meeting January 13–17, 2019 in Washington, DC, to further explore DOT needs in workforce development. NICET took a leadership role with this initiative at the 2018 TRB Annual Meeting; and interest has continued to grow among engineering consultant and those affiliated with the American Association of State Highway and Transportation Officials.

Plans are being made to attend and/or exhibit at industry events in the coming months. Many within the fire protection industry will be repeat appearances; but several new events are being planned within the civil engineering industries, specifically related to highway construction, construction materials testing, and underground utilities construction.

PE magazine and NICET staff have been meeting to discuss ways to better partner on NICET coverage in the magazine. The March/April issue of *PE* will have a two-page article by NICET chair Lloyd Tillman, SET, on the beneficial partnership between the PE and the certified technician/inspector.

Quality Management: NICET staff continue to meet on a biweekly basis to codify standard operating procedures for all major NICET activities; and to document NICET's quality management system. We remain on plan in our investigation of options for accreditation of NICET and our major programs to the ISO/IEC 17024 Standard.

In late 2018, the Ohio DOT implemented a new construction inspector internship program, in cooperation with ACEC of Ohio, Columbus State Community College, and NICET, as part of their consultant prequalification requirements. A similar initiative occurred years ago in New York City but failed when funding dried up. NCDOT and other states are now

¹ NICET staff attended the North Carolina Transportation Summit in Raleigh, NC on January 8-10 sponsored by NCDOT.

looking at this Ohio program for use in their states to increase qualified inspection personnel for highway construction activities.

IT Services: Staff continues to hold biweekly post-configuration review sessions with our software vendor, BrightLink, to perform final configuration and programming of Clarus, the new candidate management system for NICET (analogous to NSPE's AMS system that drives membership operations). Anticipated launch date is the end of February, pending final integration with other data systems (Pearson VUE², Sage Intacct³, Exam Studio⁴ and the NICET website) and data migration from the legacy Oracle database.

From the operations side of things, staff will be presenting the FY 2019 midyear budget to the board for approval. Last year, the board approved establishing a midyear budget revision process as part of the annual budgeting cycle. It provides an opportunity to reaffirm, update, and adjust budgetary assumptions with more complete information than was available when the budget was originally developed. The midyear budget revision allows us, if necessary, to incorporate updates and changes in strategy or plans.

Building and Operations

NSPE has entered into an agreement with KONE Inc. to modernize the HQ building's outdated elevators. KONE has been in business for over 100 years and is the third largest elevator company worldwide. It was one of four companies thoroughly vetted (on the basis of qualifications as well as price) for the project. In preparation for the project, we will be emptying out the old print shop area for use as a staging area for the new equipment assembly. The project is scheduled to be completed in the fall of 2019.

January will mark the completion of repairing the façade for the entire building. NSPE continues to do everything possible to maintain this most valued asset, its headquarters, and ensure that internally and externally the structure and systems are kept up to date.

In HR and Office Services, we are working on nondiscrimination testing of our employee benefit plans. In the next week or so, we will be auditing W-2s and 1095 forms before having them printed for distribution. We have just completed renewals and enrollments for 2019 benefits and processed the first payroll of the year with all changes in premiums and plan changes. We are working on scheduling a series of webinars to offer staff on various subjects, and we are researching the possibility of purchasing or leasing a network-capable color printer/copier instead of renewing the expensive maintenance agreements on our two color printers. And we are actively recruiting for a policy assistant.

² RTI (Real-Time Imports), SSO (Single Sign-On) and RTEN (Real-Time Event Notification) for test site registration.

³ Accounting.

⁴ Item banking and test publishing software.