


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: March 18, 2019

RE: Board Update: March 1–15, 2019

Championing the PE License

The Antilicensure Beat Goes On: As of March 1, 2019, we were tracking 29 separate pieces of legislation introduced in 25 states that open the issue of occupational licensure¹. They vary widely in their impact, from general reviews of licensing boards with an eye toward elimination whenever possible (17 bills); to so-called “consumer choice” acts, which would allow unlicensed practice anytime and anywhere the consumer is informed and agrees (4 bills); to “Right to Earn a Living” legislation, that would allow any unlicensed individual who feels they were unfairly precluded from engaging in professional practice to sue the board and recover costs if the litigation prevails (one state). And additional bills continue to crop up on a weekly basis.

NSPE continues to work with state partners on direct response and to work with coalitions of other licensing interests. We are also in the early stages of developing a multiprofession public awareness campaign to build a counternarrative to the one antilicensure forces have so effectively mounted. Stay tuned for details.

Remember When NSPE Said Software Engineers Should be Licensed? As then-NSPE President Dan Wittliff [wrote](#), airplanes and other software systems “could produce harmful and widespread consequences for the public.” NSPE [pushed for a PE exam](#) in software engineering, and financially supported development of a software engineering PE exam that

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](#).

¹Another 38 bills address the extent to which, and under what conditions, licensing boards may consider an applicant’s prior criminal history.

[launched in 2013](#). But that program [ends](#) with the final test administration next month because there weren't enough exam takers: only 81 candidates total over five years. Software-based industry just didn't feel that the technical competence and ethical obligations of a licensed engineer were important to their enterprises.

I recall all this today with a nostalgia that has a decidedly bitter taste, as the worldwide fleet of Boeing 737 Max 8s is grounded, following two [mass-fatality crashes](#), suspected to have software-related causes.

NSPE Targets Contractor 'Snooping' Bills. A threat to AEC firms that contract with government agencies is emerging. The threat comes from model legislation to require private businesses that contract with any government body to install tracking software on the computer of every employee who works on a public project. NSPE is working with state societies to [thwart these bills](#), which have been introduced in 23 states.

TransparentBusiness, a company that sells tracking software, is behind the aggressive promotion of the model legislation aimed at reducing fraudulent charges by government contractors. The company has presented the bill to more than 40 state legislatures. Arizona, Illinois, Indiana, Maryland, Montana, New Jersey, and Washington are included in the 23 states in which some version of this legislation has been introduced.

The Illinois Society of Professional Engineers has responded in opposition to a bill introduced in Springfield. ISPE is joined by the American Council of Engineering Companies–Illinois, the American Institute of Architects–Illinois, the Illinois CPA Society, the Illinois Professional Land Surveyors Association, the Illinois Road & Transportation Builders Association, and the Illinois Secretary of State.

In Montana, the legislature has also detailed the negative financial impact the bill would have on a state economy through a [fiscal note](#).

Ethical Guide to the Profession

Preventing Sexual Harassment of Women in Engineering Academia: A major consensus study [report](#) by the National Academies of Science, Engineering, and Medicine, says that addressing sexual harassment "is critical to avoiding further loss of talent in academic sciences, engineering, and medicine, and thus to advancing the nation's economic and social well-being and its overall public health." NSPE covered the issue of [sexual harrassment in the engineering workplace](#) in September/October's *PE* magazine.

One state is already addressing the issue. Beginning with license renewals after January 1, 2020, PEs in Illinois will be required to obtain one hour of sexual harassment training as part of their continuing education requirement.

The National Academies study also found that “professional societies have the potential to be a powerful driver of change through their position to help educate, train, codify, and reinforce cultural expectations for their respective scientific, engineering, and medical communities.” It cited actions taken by professional societies, including codes of conduct specifically related to conference attendance and revising codes of ethics to reflect this issue.

The NSPE Board of Ethical Review has proposed adding a new professional obligation to the NSPE Code of Ethics stating that “engineers shall treat all persons with dignity, respect, fairness and without discrimination.” The proposal will be voted on at the NSPE House of Delegates meeting this July in Kansas City.

Ethical Guidelines for Emerging Technology. A [resolution](#) has been introduced in the US House of Representatives supporting the development of guidelines for ethical development of artificial intelligence. Resolutions don’t have any force or affect, unfortunately, but it’s a step in the right direction.

Upcoming Ethics Webinars: NSPE continues building its engineering ethics content, this time with the latest in our ongoing series of one-hour engineering ethics webinars led by Arthur Schwartz, NSPE deputy executive director and general counsel and NAFE executive director.

March 6, 2019, Conflicts of Interest: This session will review engineering ethics principles and discuss conflicts of interests involving an engineer’s spouse as a sales representative, the chairman of an editorial board of a technical society publication, performing bridge inspection and shop drawing preparation for different clients and a peer reviewer participating in a subsequent joint venture.

April 10, 2019, Business and Professional Issues: This session will review engineering ethics principles and discuss business and professional ethics issues involving contracts and fiduciary liability; reviewing the work of another engineer and certificate of merit statutes; misrepresentation and obligations to report to a client; and public health and safety issues relating to boiler valves and switches.

May 8, 2019, Emerging Issues: This session will review engineering ethics principles and discuss emerging engineering ethics issues involving building codes and environmental issues, objectivity and truthfulness in the use of drones, patents and the potential infringements in a foreign country and signing and sealing of electronic documents.

Participants will be provided copies of the Power Point presentations, NSPE Board of Ethical Review case studies, the NSPE Code of Ethics, and other materials. Each webinar will include an online discussion and interactive polling questions to guide participants.

Powering Professional Advancement

Registration Now Open for 2019 Professional Engineers Conference: The conference runs July 17–21, 2019, at the Kansas City Marriott Downtown in Kansas City, Missouri. Preview the [conference at a glance](#) on the website. Marketing for the conference will ramp up shortly, but why wait? Click [here](#) to register.

Urge Your Members to Take Advantage of Their Benefits: The new integrated membership model means even members who primarily identify with their state society and local events have access to national-provided benefits, all included in their single dues amount. That includes discounts on several new NSPE webinars:

- [How Engineers Create Added Value on March 27 at 2 p.m. ET](#)
- [Engineering Ethics — Business and Professional Issues on April 10 at 2 p.m. ET](#)
- [Engineering Ethics — Emerging Issues on May 8 at 2 p.m. ET](#)
- [NICET: Developing a Qualified Workforce on May 29 at 2 p.m. ET](#)

Uniting the PE Community

2019 NSPE Federal Engineer of the Year: Major Justin Delorit, Ph.D., P.E., sent a nice note thanking NSPE for the recognition at the [February 22, 2019, ceremony](#) at the National Press Club in Washington, DC. “I meant what I said with respect to the value of NSPE as a watchdog for professional practice in both the public and private sector. Moreover, the Air Force Civil Engineer Careerfield takes the NSPE very seriously, and we are certainly appreciative of the fact that NSPE has, for 40 years (!), invested in recognizing engineers from the federal government. I am humbled by the recognition, but left in awe of NSPE, and will look for opportunities to continue to give back to the Dayton Ohio Chapter when I return in June.”

Major Delorit garnered NSPE’s top award for federal engineers, selected from among 10 worthy, finalists. He serves as the deputy base civil engineer at the Kunsan Air Base in the Republic of Korea.

[Stars and Stripes Korea](#), a newspaper serving the US military community in South Korea also provided nice coverage of Major Delorit’s award.

Engineers Week x 52: The official 2019 Engineers Week may have ended, but celebrating engineers continues year-round. Don’t miss the [Global Marathon](#), a free series of online conversations and actionable career advice for women in engineering and technology. It continues weekly through April 3, which is also [Global Day of the Engineer](#).

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 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; non-dues 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 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 level.

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 a section called "[Who We Are and What We Do](#)."