

Revised June 26, 2018

FLORIDA ENGINEERING SOCIETY
PROFESSIONAL POLICIES

- 1B Excellence in Engineering Education
- 4R Procedures for the Florida Engineering Society's Handling of Professional Misconduct Complaints
- 9D Educational Requirement for Engineering Registration in Florida
- 10B Collective Bargaining
- 11E Rights of Florida Professional Engineers to Practice Engineering
- 13C Society Code of Ethics
- 17D Professional Registration of Engineering Educators in Florida
- 19B Designation of the Month of March as Florida Professional Engineers in Industry Month
- 20A Fes Chapter Participation with other Professional Organizations in Community Advisory/Service Projects
- 21C Encouraging the use of Florida Consulting Firms by Governmental Agencies in Florida.
- 22B Fes Energy Policy
- 27C Encouragement of Graduating Seniors to take and pass the Fundamentals of Engineering Exam
- 28 Review of Engineering Documents
- 30B Open Competition of Engineering Services
- 31 Recommended Procedure for Selection of Geotechnical and Materials Engineering Services

**FLORIDA ENGINEERING SOCIETY
PROFESSIONAL POLICY (PP No. 1B)**

EXCELLENCE IN ENGINEERING EDUCATION

The objectives of the Florida Engineering Society include "advancement of the public welfare and enhancement of the qualifications for professional practice of all engineers." In seeking to accomplish these objectives the Florida Engineering Society has given the highest priority to the strengthening of engineering education within the State of Florida as being in the best interests of all the citizens of Florida.

The Florida Engineering Society strongly supports efforts to achieve an engineering education system of excellent quality. Florida should guarantee its young people the opportunities to achieve sufficient educational background to prepare them for the complexities of contemporary engineering practice. To do less will mean denial of opportunities to accept responsibilities imposed on the state by the demands of a highly competitive marketplace.

The Florida Engineering Society applauds the progress made in recent years toward achieving a measure of distinction for engineering programs within the State of Florida. The highest priorities for action by the Florida Legislature, insofar as engineering education is concerned; should include enhancement of quality of established engineering schools, provisions for continuing/graduate education, increased production of engineers and supplying sufficient funding to meet these goals. The provisions of funds (i.e. fixed capital outlay, education and general, and quality improvement programs) sufficient to insure continued progress is a vital matter. Adequate space for instruction and research, faculty positions and salaries competitive on the national scene, modern state of the art laboratory equipment, and appropriate support services should receive priority funding considerations in the legislative process.

Expansion of engineering programs in the state should be consistent with proven needs and quality enhancement of established schools, in order to optimize the use of available resources, achieve overall quality improvement, and assure maximum return on investment in engineering education. Development of other alternatives, whether via new units or contractual arrangements with independent institutions, should be carefully investigated and evaluated in light of overall impact on available resources.

The State of Florida has an opportunity to achieve a measure of excellence in Engineering Education that will have an impact on the wellbeing of the state for generations to come. The Florida Board of Governors and the Florida Legislature are strongly urged to continue their efforts to provide an investment in established engineering schools that will insure achievement of that goal.

Approved by the FES Board of Directors
March 25, 1983

Amended by the FES Board of Directors
August 1, 1991

Reaffirmed by the FES Board of Directors
September 21, 1995
July 29, 1999

Amended by the FES Board of Directors
November 17, 2015

**FLORIDA ENGINEERING SOCIETY
PROFESSIONAL POLICY PP NO 4-R**

**PROCEDURES FOR THE FLORIDA ENGINEERING SOCIETY'S
HANDLING OF PROFESSIONAL MISCONDUCT COMPLAINTS**

ARTICLE I

GENERAL PROVISIONS

Section 1. This article contains general provisions and definitions which apply to all other articles and sections of these rules.

Section 2. Definitions:

- A. Code of Ethics - NSPE Code of Ethics.
- B. Executive Director - The Florida Engineering Society Executive Director.
- C. Coordinating Committee or Committee - The Florida Engineering Society Ethical Practices Coordinating Committee.
- D. Board of Directors or Board - The Florida Engineering Society Board of Directors.
- E. Expulsion - A member who is expelled from the Society shall be removed from the state, chapter, national and practice section membership rolls at the earliest date, after final action taken by the Board of Directors consistent with the provisions of these rules. A copy of the letter of expulsion shall be placed in the permanent files of the Florida Engineering Society and in the case of a known NSPE member; a copy shall also be transmitted to the National Society of Professional Engineers Headquarters Office for record purposes. Letters of expulsion shall be handled and filed on a confidential basis. An expelled member shall cease to hold any elective office or appointive position at the state, chapter, national and practice section levels effective the date of removal from the Society's membership rolls. An expelled member shall forfeit any claim to any portion of his or her state, national, chapter and practice section dues which have been paid for the fiscal year in which the expulsion becomes effective. An expelled member shall forfeit all rights, privileges, benefits and services provided members of the Society. An expelled member shall be permanently barred from re-admission to membership in the Society. An expelled member shall be expected to return to Society Headquarters not later than thirty (30) days after the effective date of expulsion any Society membership pins, Society membership certificates, or other Society jewelry, insignia or identification then in his or her possession. An expelled member shall not in any way identify or otherwise indicate that he or she is a member of the Society.
- F. Suspension - A member who is suspended from the Society shall be removed from the state, chapter, national and practice section membership rolls at the earliest date after final action taken by the Board of Directors consistent with the provisions of these rules. A copy of the letter of suspension shall be placed in the permanent files of the Florida Engineering Society and in the case of a known NSPE member a copy shall also be transmitted to the National Society of Professional Engineers Headquarters Office for record purposes. Letters of suspension shall be handled and filed on a confidential basis. A person who is suspended from Society membership shall be suspended for a definite period of time (i.e., 12 months, 2 years, etc.) or until a definite date (i.e., January 1, 2025 etc.). A person who is suspended from membership in the Society may make written application for readmission to membership in the society after the period or time of suspension shall have ended. Society dues for the fiscal year in which a member was suspended and for the fiscal year in which the person reapplies shall be paid in full before a suspended member shall be reinstated to membership in the Society. Applications for re-affiliation by suspended

members shall be submitted to the Board of Directors for approval. A suspended member shall forfeit any claim to any portion of his or her state, national, chapter and practice section dues which have been paid for the fiscal year in which the suspension becomes effective. A suspended member shall cease to hold any elective office or appointive position at the state, chapter, national and practice section levels, effective the date of removal from the Society's membership rolls. A suspended member shall forfeit all rights, privileges, benefits and services provided members of the Society during the period of the suspension. A suspended member shall be expected to return to Society Headquarters not later than thirty (30) days after the effective date the suspension begins and any Society membership pins, Society membership certificates, or other Society jewelry, insignia or identification then in his or her possession. Such articles may be returned to a suspended member by the Society at such time as he or she may apply and be approved for readmission to membership in the Society. A suspended member shall not in any way identify or otherwise indicate that he or she is a member of the Society during the period of suspension or until he or she shall apply and be approved for readmission to membership in the Society. A member who has been suspended from membership in the Society shall be permanently ineligible to become a FELLOW of the Florida Engineering Society.

G. Censure - A member who is censured by the Board of Directors shall be so notified by letter from the President of the Florida Engineering Society. A copy of the letter of censure shall be placed in the permanent files of the Florida Engineering Society and in the case of a known NSPE member; a copy shall also be transmitted to the National Society of Professional Engineers Headquarters Office for record purposes. Letters of censure shall be handled and filed on a confidential basis. A member who is censured shall cease to hold any elective office or appointive position at the state chapter levels thirty (30) days after the letter of censure is mailed to him or her and shall not be eligible to hold an elective office or appointive position at the state and chapter levels for a period of twelve (12) months from the date the letter of censure is mailed. A member who has been censured shall be permanently ineligible to become a FELLOW of the Florida Engineering Society.

H. Reprimand - A member who is reprimanded by the Board of Directors shall be so notified by letter from the President of the Florida Engineering Society. A copy of the letter of reprimand shall be placed in the permanent files of the Florida Engineering Society and in the case of a known NSPE member; a copy shall be transmitted to the NSPE Headquarters Office for record purposes. Letters of reprimand will be handled and filed on a confidential basis. If and when a member who has received a letter of reprimand is considered by the Board of Directors for FELLOW, the Board shall be notified of the fact that a letter of reprimand was issued but the issuance of a letter of reprimand shall not automatically disqualify a member from becoming a FELLOW.

I. Letter of Caution - A member who has committed a violation of ethics that the Committee determines does not warrant expulsion, suspension, censure or reprimand shall receive a letter from the Committee notifying the member of the violation and cautioning the member against future violations. A copy of the letter shall be placed in the permanent files of the Florida Engineering Society. The letter will be handled and filed on a confidential basis. The complainant shall be sent written confirmation of committee action within five (5) days of committee action.

J. Member - A member of the Florida Engineering Society.

K. Complaint - A properly completed complaint form received by the Executive Director.

Section 3. All time limitations contained in these rules of procedure should be strictly followed, and the number of days shall be construed as being intervals of calendar days. However, the Committee may waive the time limitations if the particular facts and circumstances of the case warrant waiver. Failure of any party to comply with the time limitations set forth in these rules shall

not be grounds for any other party to object to the continuation of the proceedings or to seek dismissal of the proceedings.

ARTICLE II

INITIATION OF DISCIPLINARY ACTION

Section 1. Any person may file a written complaint based upon actual knowledge he or she has of alleged violations of the code of ethics. The Committee may also initiate disciplinary proceedings by filing a complaint if any member of the Committee becomes aware of alleged ethical violations by a member. The Committee shall investigate a possible ethical violation in each known instance of a member being convicted of a felony, or in each instance of a member being disciplined by the State Board of Professional Engineers.

Section 2. The complaint shall be filed with the Executive Director.

Section 3. The complaint must include the following:

- A. Name and address of complaining party.
- B. Name and address of professional member of FES whose conduct is being questioned.
- C. Approximate dates and times when violations occurred.
- D. Facts describing the alleged violations.
- E. The specific sections of the Code of Ethics which allegedly have been violated.
- F. Signature of complainant.

ARTICLE III HANDLING

COMPLAINTS

Section 1. Upon receipt of a complaint, the Executive Director shall stamp on the face thereof the date on which the complaint was received. Each complaint shall also be assigned a case number which shall be entered on the complaint itself and on a file folder in which the complaint shall be filed.

Section 2. The Executive Director shall, within five (5) days of receipt of the complaint, review the complaint to ensure that it complies with the requirements of Article II, Section 3, above, and that it names a respondent who is a member of FES.

Section 3. If the complaint lacks any essential elements as described in Article II, Section 3, if the complaint names a respondent who is not a FES member, or if the complaint is otherwise incomplete, a copy of the complaint shall be returned to the complaining party along with a letter identifying the defect in the complaint.

Section 4. Within five (5) days of receipt of a complaint that complies with the requirements of Article II, Section 3, the Executive Director shall send a copy of the original complaint to the respondent, the party who allegedly violated the Code of Ethics. The copy shall be sent by certified mail, return receipt requested. Subsequent amendments to the complaint shall also be mailed to the respondent within (five) 5 days of their receipt. If for any reason certified mailing is ineffective, personal service of a copy of the complaint may be served by official process server in the county in which the respondent resides. If this type of service is necessary, confidentiality of the complaint shall be preserved to the extent possible under the circumstances.

Section 5. If the complaint names a respondent who is a member of the Committee or the Board, then the Executive Director, when sending the respondent, a copy of the complaint, shall advise the respondent that he or she is disqualified from participating in the disciplinary proceeding as a Committee or Board member.

Section 6. Upon receipt of a written complaint, the Executive Director shall also immediately forward a copy to the Committee.

Section 7. Within ten (10) days of receipt of a written complaint, a respondent may file a written response with the Executive Director. Failure to file a written response shall not be deemed an admission by the respondent of any of the allegations contained in the written complaint.

Section 8. The date the written response is received shall be stamped by the Executive Director on the face of the response. The response shall be assigned the same case number as the complaint, the number shall be entered on the response, and the response shall be filed in the folder in which the complaint is filed.

Section 9. A copy of the written response shall be forwarded to the Committee and to the complainant by the Executive Director within five (5) days of its receipt.

ARTICLE IV

COMMITTEE REVIEW AND INVESTIGATION

Section 1. After receipt of a written complaint, and after the time has passed for the respondent to file a response to the complaint, the committee shall agenda the complaint for review at its next meeting. The Committee shall have the discretion to combine or sever matters for investigation or hearing, or to utilize any other reasonable procedural devices to efficiently and fairly consider all cases. In addition, if at any point in these proceedings the Respondent admits material facts establishing an ethical violation, the Respondent may waive his right to further proceedings in accordance with this Policy and may agree with the Committee on a recommended level of discipline to be presented to the Board.

Section 2. After referral of a matter to the Committee, or at any other point in these proceedings, each Committee member should determine whether he or she has any conflict of interest in considering the matter. If a Committee member seeks to be excused from considering a particular case due to a conflict of interest, he or she should immediately notify the Executive Director.

Section 3. The Committee shall review the complaint and the response, if any, to determine whether the complaint, if all matters alleged therein are assumed to be true, constitutes a breach of the Code of Ethics. In order to make this determination, the Committee may request additional information from the complainant and may obtain information available in the public records.

Section 4. If the Committee finds that the complaint is not sufficient to establish a violation of the Code of Ethics, the complaint will be dismissed and the respondent and the complainant will be so notified. After dismissal of the case, the file will be closed and will remain confidential unless the respondent requests in writing that it be released to the public.

Section 5. If the Committee finds that the allegations of the complaint, assumed to be true for this portion of the review process, are sufficient to establish a violation of the Code of Ethics, the committee may order an investigation thereof.

Section 6. If an investigation is warranted, the Committee may appoint a member or members from the Committee to conduct an investigation or may retain a private investigator to conduct the investigation. Investigations shall be limited to the allegations of the complaint, but

additional complaints may be filed based on facts discovered during the investigation. To the extent the allegations of a complaint are similar or identical to allegations filed in a complaint against the same member with the Department of Business and Professional Regulation, Board of Professional Engineers, the Committee may elect to use any investigation file and report from this agency in lieu of or in addition to a separate investigation.

Section 7. The investigator shall inform any person he or she interviews of the confidential nature of the investigation. The investigation must be impartial and unbiased and if at any time the investigator cannot be such, then he or she shall notify the Committee and disqualify himself or herself from further conduct of the investigation. The Committee may also terminate the investigator at any time during the investigation if it appears that his or her investigation is no longer impartial and unbiased.

Section 8. The investigator shall complete his or her preliminary investigation and shall prepare a report to the Committee. The report shall be received at the next meeting of the Committee after the completion of the investigative report. The investigative report shall contain a narrative account of all pertinent information obtained through interviews of witnesses, documentary evidence, or other sources and shall include a discussion of any conflicts in the evidence. The report shall not contain any determination or speculation with respect to whether the evidence indicates a breach of the Code of Ethics. The report shall make no recommendations.

Section 9. At the same time the investigator files his or her report, he or she shall also file with the Committee his or her investigatory file. This file shall remain confidential and shall contain:

- A. Copies of all documents obtained during the course of the investigation;
- B. Tape recordings of interviews, if any, with witnesses so long as the prior consent of the interviewee was given to the tape recording and if tape recordings do not exist, a summary of the interview with the witness;
- C. A list of the names and addresses of all persons actually interviewed;
- D. Any other relevant documents.

Section 10. Within five (5) days of the receipt of the investigator's written report and investigatory file, the Executive Director shall forward a copy of the report to both the complainant and the respondent, by certified mail, return receipt requested. A copy of the investigatory file need not be forwarded to either the complainant or the respondent but shall be open for review by either the complainant or respondent upon written request.

Section 11. Within (ten) 10 days of receipt of a copy of the investigator's report, the complainant and the respondent may file written responses to the report. Failure to file a written response shall not be deemed an admission by either the complainant or the respondent of any of the facts or matters contained in the final investigatory report.

ARTICLE V

COMMITTEE ACTION

Section 1. At the next meeting of the Committee after receipt of the investigator's report and investigatory file, the Committee shall review the initial complaint, any responses filed, the investigatory report, the investigatory file, and any other materials deemed pertinent to determine whether there is probable cause to believe that a violation of the Code of Ethics has occurred.

Section 2. If the Committee determines that there is no probable cause to believe that a violation of the Code of Ethics has occurred, the Committee shall so state its reasons in a final written report, shall close the file on the matter, and shall notify the respondent and the complainant by certified mail, return receipt requested, of this action.

Section 3. If the Committee determines that there is probable cause to believe a violation of some ethical standards has occurred but that the Committee may not have the authority to deal with the specific type of violation, or if the Committee determines that there is probable cause to believe a violation of ethical standards has occurred and both the Committee and some other society or entity have the authority to discipline the violator, the Committee may refer the matter to the other appropriate society or entity. Both the complainant and the respondent shall be notified by certified mail, return receipt requested, of this action by the Committee.

Section 4. If the Committee determines that there is probable cause to believe that a violation of the Code of Ethics has occurred, the Committee shall set the matter down for a hearing. The scheduled date of the hearing shall not be less than seven (7) nor more than 60 days from the date the Committee makes its determination as to probable cause. Both the complainant and the respondent shall be notified by certified mail, return receipt requested, of the date of the hearing. The notice of hearing shall specify the particular sections of the Code of Ethics which there is probable cause to believe the respondent violated. Once these matters are set forth in the notice of hearing, these are the only matters on which the Committee may conduct a hearing and no other issues may be raised subsequent to the issuance of the notice of hearing. The notice shall inform the respondent that he or she must notify the Committee, within ten (10) days after receipt of the notice, as to whether he or she wants to proceed with the hearing or waives his or her right to one. If the respondent does not respond within the specified time, the Committee may cancel the hearing and submit its recommendation to the Board.

ARTICLE VI

HEARINGS

Section 1. Hearings on alleged violations of the Code of Ethics shall be conducted informally by three (3) members of the committee appointed by the Chair at the time probable cause is determined. The chair of the Committee or his or her designee shall be chair of the hearing and shall be responsible for its conduct, including ruling if necessary, on any points of order. If the Chair believes the situation warrants, he or she may suggest the hearing be by electronic means and communicate their suggestion to Respondent in a probable cause letter. The letter shall include a note that Respondent may reject suggestion and demand an in-person hearing.”

Section 2. All persons reporting or testifying at the hearing shall be sworn. Business to be conducted at the hearing shall be in the following order:

A. The investigator who conducted the investigation shall make an oral report to the Committee.

B. The respondent or any legal counsel on his behalf shall respond to the investigator's report.

C. Witnesses, including the complainant, may be called by either the Committee or the respondent to testify on behalf of either party. The Executive Director shall notify the complainant if the Committee desires his presence at the hearing.

D. Both the committee and the respondent shall be entitled to submit any and all documents deemed pertinent to the alleged violations of the Code of Ethics.

Section 3. A sound recording shall be made of all hearings and shall be kept on file at the state headquarters office for a period of three years. In the event a transcript is requested, it will be furnished, at cost, to parties to the hearing.

Section 4. All hearings conducted on alleged Code of Ethics violations and all related documents including file materials shall be considered confidential. The FES legal counsel and the Executive Director may attend the hearing.

Section 5. The Committee may continue the hearing at any time to allow further investigation prior to deliberating to determine if in fact a violation of the Code of Ethics has occurred.

Section 6. At the conclusion of the hearing, the Committee will meet in closed session to deliberate and determine whether in fact a violation of the Code of Ethics has occurred. The Executive Director and the FES legal counsel may attend this closed session. In its deliberations, the Committee shall also decide what, if any, form of discipline is recommended. The Committee is not limited to expulsion, suspension, censure, and reprimand in determining a recommended level of discipline. The Committee shall have the discretion to recommend any discipline appropriate to the ethical violation that has occurred. The Executive Director will advise the EPCC if the individual has received any previous FES EPCC discipline for ethical violations.

Section 7. If the Committee determines that there has been a violation of the Code of Ethics, the Committee shall finalize its findings in a written report. The report shall include:

- A. The allegations of the complaint;
- B. The findings of fact made by the Committee;
- C. The specific violation(s) found to have occurred and the appropriate references to the various sections of the Code of Ethics which have been violated;
- D. The Committee's recommendation for disciplinary action.

Section 8. If the Committee determines that there has not been a violation of the Code of Ethics, the Committee shall file a final written report. The report shall include:

- A. The allegations of the complaint;
- B. The findings of facts made by the Committee;
- C. The specific reasons why the Committee has determined that no violation of the Code of Ethics has occurred.

Section 9. The Committee's final report shall be mailed by certified mail, return receipt requested, to both the respondent and the complainant within five (5) days of the conclusion of the hearing. The Committee's final report shall also be filed within five (5) days with the Executive Director. If a violation is found, the Executive Director shall schedule the matter on the agenda for the next Board meeting.

Section 10. Within ten (10) days of receipt by the respondent of the Committee's final report finding that no violation of the Code of Ethics has occurred, the respondent may request that the Committee's findings be published.

Section 11. Within ten (10) days of receipt of the Committee's final report finding that a violation of the Code of Ethics has occurred, the respondent may file a written appeal with the Board of Directors. Any written appeal must contain all statements or supporting information which will provide the Board with a full understanding of the basis for the appeal.

ARTICLE VII

ACTION BY BOARD OF DIRECTORS

Section 1. At the next meeting of the Board of Directors after receipt of a written case report and any written appeal, the Board of Directors shall review the report and the recommendation of the Committee.

Section 2. In a closed meeting, which the Chair of the Ethical Practices Coordinating Committee, the Executive Director and the FES legal counsel may attend, the Board shall review all materials submitted by the Committee, and shall approve the recommendation of the Committee, reduce the recommended disciplinary action, reverse the findings based upon the appeal statement, or return the case to the Committee for reconsideration based upon new or additional information made known to the Board prior to or at the Board meeting. Under no circumstances may the Board increase the recommended disciplinary action of the Committee.

Section 3. If the Board of Directors returns the matter to the Committee, the Board shall identify in writing the information and the reasons the Board believes justify reconsideration. Both the complainant and the respondent shall be sent written confirmation of the Board's action within five (5) days of the action, by certified mail, return receipt requested. Within 60 days of the Board's action in returning a matter to the Committee, the Committee shall reconsider the cases returned.

Section 4. If the Committee determines, based upon new or additional information, that the recommendation for disciplinary action should be more stringent, the respondent shall be notified in writing within five (5) days by certified mail, return receipt requested. The notification shall extend to the respondent an offer for a rehearing to be conducted in accordance with the hearing procedures set forth in these rules. If a rehearing is requested and conducted, the Committee shall submit its reconsidered final report to the Board of Directors in accordance with the procedures set forth in these rules.

Section 5. The written findings of the Board of Directors shall be considered final. The Board of Directors shall take final disciplinary action against a respondent who is found to have violated the Code of Ethics.

Section 6. When appropriate, the Board may submit any information obtained during the disciplinary process to any other entities or authorities who may have concurrent jurisdiction over alleged violations.

ARTICLE VIII DISCIPLINE

AFTER DBPR ACTION

Section 1. This article shall apply to all cases in which the Department of Business and Professional Regulation (DBPR)/Florida Board of Professional Engineers (FBPE) has disciplined a FES member.

Section 2. Upon receipt of a final order from DBPR/FBPE indicating a FES member has been disciplined, the Executive Director shall forward the order to the Committee for consideration at its next regularly scheduled meeting. If necessary, the Committee may request any additional public information available from the DBPR or FBPE. The Committee shall consider the order and any additional public information available from the DBPR or FBPE and shall determine whether there is probable cause to believe an ethical violation occurred. If the Committee determines there is no probable cause to believe an ethical violation has occurred, the FES file shall be closed on the matter.

Section 3. If the Committee determines that there is probable cause to believe an ethical violation has occurred, the Committee shall direct the Executive Director to send the accused member a letter by certified mail, return receipt requested, explaining the following:

- A. that the Committee has found probable cause to believe an ethical violation has occurred;
- B. that the Committee may utilize the investigation materials obtained by DBPR/FBPE in its investigation;

- C. that the member may approve the use of the DBPR/FBPE investigative materials or may request an independent investigation;
- D. that upon receipt of approval to use the DBPR/FBPE investigative materials or upon completion of an independent investigation a hearing will be scheduled to consider the member's case;
- E. that during the hearing, the Committee will proceed according to the procedures for hearings set forth in Article VI of this Policy and final action by the Board shall be according to Article VII of this Policy.
- F. that if the member does not appear at the hearing FES will impose sanctions commensurate with the violation and the discipline imposed by DBPR/FBPE.

Section 4. The Committee and the Board shall proceed according to Articles VI and VII of this Policy for purposes of the hearing and final Board action.

Approved by the FES Board of Directors August 1, 1985
Amended July 31, 1986
Amended November 19, 1987
Amended July 28, 1988
Amended December 5, 1989
Amended November 15, 1990
Amended April 1, 1991
Amended November 29, 1994

Reaffirmed by the FES Board of Directors
August 6, 1998

Amended by the FES Board of Directors
June 11, 2010
February 5, 2013
February 3, 2015

**FLORIDA ENGINEERING SOCIETY
PROFESSIONAL POLICY (PP No. 9D)**

EDUCATIONAL REQUIREMENT FOR ENGINEERING REGISTRATION IN FLORIDA

The absolute minimum educational requirement for professional engineering registration in Florida should be graduation from a 4-year engineering curriculum approved by ABET (Accreditation Board for Engineering and Technology) or equivalent accredited program.

The State Board of Professional Engineers should apply the equivalency rule only in cases where ABET does not accredit or where programs are considered as satisfactory to the Board but have not yet been through the ABET accreditation process.

Approved by the FES Board of Directors
December 12, 1969

Revised by the FES Board of Directors
April 9, 1979
August 6, 1987
August 5, 1993

Reaffirmed by the FES Board of Directors
August 14, 1997
January 12, 2001

Amended by the FES Board of Directors
November 17, 2015

**FLORIDA ENGINEERING SOCIETY
PROFESSIONAL POLICY (PP No. 10B)**

COLLECTIVE BARGAINING

"The Society shall be a professional organization, not a collective bargaining unit for compensation and working condition of its members."

Approved by FES Board of Directors
October 2, 1970

Amended by FES Board of Directors
May 29, 1975

Reaffirmed by FES Board of Directors
August 2, 1990
September 21, 1995
July 29, 1999

Revised/Amended by the FES Board of Directors
January 12, 2001

Reaffirmed by the FES Board of Directors November 7,
2008

FLORIDA ENGINEERING SOCIETY PROFESSIONAL POLICY (PP No. 11E)

RIGHTS OF FLORIDA PROFESSIONAL ENGINEERS TO PRACTICE ENGINEERING

1.1 Preamble

1.2 Purpose - Our engineering predecessors gave us an engineering profession steeped in scientific foundation and mental discipline and with unlimited opportunity to serve the public. Our generation of engineers has the responsibility and is dedicated to ensure that future generations of engineers will not be denied the opportunities we enjoy. The FES accepts the responsibility to promote and protect the individual and collective rights of Florida engineers to practice within their chosen engineering practice areas.

1.3 Interprofessional Cooperation - The Florida Engineering Society (FES) is vitally interested in maintaining proper relations with other Florida professionals so that Florida engineers may effectively contribute their engineering services and creative work to safeguard the public health, safety, and welfare. FES has contributed much in developing proper relationships among the professions. FES believes it to be mutually advantageous for Florida engineers and other Florida professions to remain separate but to continue to cooperate and work together in joint effort for the public good.

2.1 Engineer's Legal Right to Practice Engineering in Florida

2.2 A Personal Right - A Florida engineer's right to practice engineering is a personal right based solely on engineering education, engineering training and engineering experience as evidenced by Florida engineering certificate of registration. A Florida engineer's practice, education, training, experience, qualifications, technical competence, conduct or responsibilities in connection with their authority to perform engineering services and creative work within chosen engineering practice areas as permissible conduct are subject to regulation solely by the Florida Board of Professional Engineers and the courts. It is the position of the Florida Board of Professional Engineers that all duly licensed engineers who perform engineering services and creative work in connection with any engineering practice areas pursuant to Chapter 471 F.S. are practicing engineering that is a legal form of engineering and not subject to sanction by any other State Board or Agency.

2.3 Authority to Practice - Chapter 471 F.S. Engineering grants the recognized practice areas of engineering. FL Statute ss471.005 (7) provides that duly licensed Florida engineers who possess the engineering education, the engineering training and the engineering experience in the application of special knowledge of the mathematical, physical and engineering sciences may perform engineering services or creative work in connection with any public or private utilities, structures, buildings, machines, equipment, processes, work systems, projects and industrial or consumer products or equipment of a

mechanical, electrical, hydraulic, pneumatic or thermal nature insofar as they involve safeguarding life, health or property. These engineering services and creative work include consultation, investigation, evaluation, planning, and design of engineering works and systems, planning the use of land and water, engineering surveys, construction reviews, the preparation of engineering drawings, specifications and other documents and including such other professional services as may be necessary to the planning, progress and completion of any engineering service. Statute ss471.005 (7) also provides that engineers shall be construed to practice engineering within the meaning and intent of Chapter 471 F.S.; who practices any branch of engineering; who represents themselves to be an engineer, or they are registered under Chapter 471 F.S.; or who holds themselves as able to perform or does perform any engineering service or creative work or any other service designated by practitioner which is recognized as engineering.

2.4 Board Rules - Administrative Code 61G15-18.011(2) defines engineering design as follows: "Engineering Design shall mean the process of devising a system, component, or process to meet desired needs. It is a decision-making process (often iterative), in which the basic sciences, mathematics and engineering sciences are applied to convert resources optimally to meet a stated objective. Among the fundamental elements of the design process are the establishment of objectives and criteria, synthesis, analysis, construction, testing and evaluation. Central to the process are the essential and complementary roles of synthesis and analysis. This definition is intended to be interpreted in its broadest sense. In particular, the words "system, component, or process" and "convert resources optimally" operate to indicate that sociological, economic, aesthetic, legal, ethical, etc., considerations can be included."

Rule 61G15-30 provides common responsibilities for all engineers and Rules 61G15-31, 32, 33, and 34 provide engineers' responsibility rules concerning the design of structures, fire protection systems, electrical systems and mechanical systems. Rule 61G15- 35 provides engineers' responsibility rules concerning inspection of threshold buildings. These rules explain engineer's responsibilities when performing engineering services and creative work consistent with Florida engineer's authority to practice engineering granted by Chapter 471 F.S.

2.5 Overlap - The FES recognizes that there may be an overlapping of some Florida engineering practice area services and the practice area services of other Florida professionals including, but not limited to, surveyors, geologists, landscape architects and architects. That is, the same services may in one instance constitute engineering services and, in another instance, constitute the services of other Florida professionals. Addressing this overlap, it is the FES position that when a duly licensed Florida engineer performs services which are within the reach of Chapter 471 F.S. and also within the reach of a statute licensing other professions, the engineer performed such services under Chapter 471 F.S. under which the engineer is registered, and the engineer is not affected by the fact that the engineer's engineering services may also fall within the reach of other Florida professional licensing statutes.

2.6 Building Design Engineering Services - FES recognizes that the legal rights of engineers and architects to design buildings sometimes coincide. The State licensing laws for engineers and architects to design buildings are predicated upon and justified only as a means to protect the public health, safety and welfare. They should not be used as a means to enhance the standing of one design profession over another because the two professions are each authorized by their respective statutes to perform building design services, with each profession subject to regulation solely by its Board and the courts.

2.7 Dedication - The FES is dedicated to fulfilling its responsibility to defend engineers' legal rights to practice engineering in Florida pursuant to Chapter 471 F.S., its rules, rulings by appeal courts and engineering practice history.

Approved by the FES Board of Directors
February 6, 1971

Revised by the FES Executive Committee
June 23, 1983

Reaffirmed by the FES Board of Directors
August 2, 1990

Major Revision by the FES Board of Directors
March 16, 1995

Amended by the FES Board of Directors
September 21, 1995

Major Revision by the FES Board of Directors
June 15, 2001

Amended by the FES Board of Directors
November 7, 2008

**FLORIDA ENGINEERING SOCIETY
PROFESSIONAL POLICY (PP No. 13C)**

SOCIETY CODE OF ETHICS

The Code of Ethics of the National Society of Professional Engineers as approved by the NSPE Board of Directors is adopted as the Code of Ethics of the Florida Engineering Society.

The Board of Directors of the Florida Engineering Society recognizes that the “Rules of the Florida Board of Professional Engineers”. 61G15, Specifically Chapters; 15-19, 15-27, 15-29, and 15-30 through 15-34 are binding on Engineers in Florida not only ethically, but also legally.

Membership in the Florida Engineering Society shall be contingent upon agreement to conform with the Society's Charter and Bylaws, Code of Ethics, Professional Policies and Administrative Policies and the FBPE Grounds for Disciplinary Proceedings, Procedures for the Adoption of Another's Work, Certification and Responsibility Rules. Failure to conform to the Charter and Bylaws, Code of Ethics or Policies of the Society shall be grounds for appropriate disciplinary action against any member.

Adopted by the FES Board of Directors
May 21, 1971

Amended by the FES Board of Directors
May 24, 1973

Reaffirmed by the FES Board of Directors August
2, 1990

Amended by the FES Board of Directors
August 4, 1994

Reaffirmed by the FES Board of Directors August
6, 1998

Amended by the FES Board of Directors
January 12, 2001

**FLORIDA ENGINEERING SOCIETY
PROFESSIONAL POLICY (PP NO. 17D)**

PROFESSIONAL REGISTRATION OF ENGINEERING EDUCATORS IN FLORIDA

The Florida Engineering Society encourages the professional engineering registration of Florida engineering educators in order to ensure that Professional Engineers will be actively involved in the education of new engineers in the State of Florida.

At present, some engineering faculty members, at all levels of engineering education, are registered professional engineers. However, the Florida Engineering Society believes that, in particular, those faculty members who are involved in directing and teaching courses in principles and methods of engineering design should be professionally registered engineers. It is in these areas of instruction that the engineering curriculum most closely touches upon the practice of engineering as it relates to the health, safety and welfare of the people of the State of Florida.

The Florida Engineering Society therefore RECOMMENDS that the engineering educators in the State of Florida who are engaged in the instruction of courses in principles and methods of engineering design be strongly encouraged to be Registered Professional Engineers.

Approved by the Florida Engineering Society
Board of Directors
February 9-10, 1973

Amended by the FES Board of Directors
August 4, 1994
July 29, 1999
January 12, 2001
November 17, 2015

**FLORIDA ENGINEERING SOCIETY
PROFESSIONAL POLICY (PP No. 19B)**

**DESIGNATION OF THE MONTH OF MARCH AS FLORIDA PROFESSIONAL ENGINEERS
IN INDUSTRY MONTH**

To gain more visibility and recognition for the role of engineers in industry at the local chapter and state levels, the month of March is designated as Florida Professional Engineers in Industry Month. Toward this end, the Board encourages local chapters to set aside and devote their March Chapter Meeting to an industry-oriented program. For example, give Industry Engineer of the Year Award at the chapter level at the March meeting. Such programs are to be generated and sponsored by the FPEI chapter liaison representative.

Approved by the FES Board of Directors July
26-27, 1973

Amended by the FES Board of Directors August
1, 1991

Reaffirmed by the FES Board of Directors September
21, 1995

Amended by the FES Board of Directors July
29, 1999

**FLORIDA ENGINEERING SOCIETY
PROFESSIONAL POLICY (PP No. 20A)**

**FES CHAPTER PARTICIPATION WITH OTHER PROFESSIONAL
ORGANIZATIONS IN COMMUNITY ADVISORY/SERVICE PROJECTS**

The Board of Directors of the Florida Engineering Society encourages the Society's local chapters to participate with chapters of other professional organizations in community advisory and service projects. Such participation should be arranged with each organization participating as co-equals and with the engineering profession having at least an equal voice with each of the other professional societies in the decision-making process. Participation in such activities by FES chapter members should be guided throughout by the Society's Code of Ethics.

Adopted by the FES Board of Directors July
26-27, 1973

Amended by the FES Board of Directors August
5, 1993

Reaffirmed by the FES Board of Directors August
14, 1997
January 12, 2001
November 7, 2008

**FLORIDA ENGINEERING SOCIETY
PROFESSIONAL POLICY (PP No. 21C)**

**ENCOURAGING THE USE OF FLORIDA CONSULTING FIRMS BY GOVERNMENTAL
AGENCIES IN FLORIDA.**

It is the official policy of the Florida Engineering Society that it is in the best interests of the citizens of Florida for any governmental agency in Florida expending public funds for the selection or procurement of professional engineering services to give primary consideration to selecting qualified Florida consulting engineering firms to provide such services when there are Florida firms, or individuals which are qualified, competent, willing and available. Further, FES encourages the work to be performed by Florida professional engineers who reside in Florida.

It is further the official policy of the Florida Engineering Society that the best interests of the citizens of Florida will be served by qualified professional engineers, who are familiar with the technical and professional services required on each project, to be involved on behalf of government agencies in Florida in the review procedures and selection process of professional engineering consulting services whenever possible.

Adopted by the FES Board of Directors
October 11-12, 1973

Amended by the FES Board of Directors
July 29, 1999
January 12, 2001

Reaffirmed by the FES Board of Directors
November 7, 2008

Amended by the FES Board of Directors
November 17, 2015

**FLORIDA ENGINEERING SOCIETY
PROFESSIONAL POLICY (PP No. 22B) FES**

ENERGY POLICY

The Florida Engineering Society recognizes that the economic forces of the marketplace and good management have consistently led to more effective use of energy resources. The Florida Engineering Society is also aware that political and environmental actions have, in some cases, resulted in inefficient resource allocation and development.

Professional engineers are in a unique position to help evaluate and implement programs to guide Florida toward more effective use of energy and to assist in the evaluation of the implications of imported energy. Engineers, to be of maximum effectiveness, must be able to exercise a role in the policy-making and planning process involving energy matters through interacting with the state and local governmental departments concerned with energy.

Providing a reliable economic supply of energy and its efficient use is an important part of overall State government planning. The Florida Engineering Society believes the State should develop a comprehensive, long-range plan for the supply and efficient use of energy in the Florida economy.

This plan should include (1) effective conservation efforts; (2) increase in production of all indigenous forms of energy that are cost-effective; (3) provision for adequate research, dedicated funding, and other needed stimuli for the development of economical energy sources within the State and for more efficient use of the imported energy which makes up the largest part of the current supply.

Adopted by the FES Board of Directors
August 1, 1991

Amended by the FES Board of Directors
September 21, 1995
November 7, 2008

**FLORIDA ENGINEERING SOCIETY
PROFESSIONAL POLICY (PP No. 27C)**

**ENCOURAGEMENT OF GRADUATING SENIORS TO TAKE AND PASS THE
FUNDAMENTALS OF ENGINEERING EXAM**

A purpose of the Florida Engineering Society, as stated in Article II, Section I, of the Society Charter, is to "stimulate and develop professional concepts among all engineers; and to strive throughout the profession to make registration more meaningful in terms of individual achievement in engineering as reflected by education and practice."

The mission of FES is to promote licensure for engineers, recognizing that licensure is a sign of professionalism, whereby a minimum of level of competence that is required for practice is ensured. The Fundamentals of Engineering (FE) examination is the first step toward professional registration. In an effort to encourage students to move into the professional world, the Society supports students taking the Fundamentals of Engineering exam prior to graduation. The young engineer nearing the completion of an undergraduate degree has recently acquired knowledge of subjects covered by the FE and is in the best position to pass the exam. Furthermore, the young engineer cannot predict with perfect foresight his or her career path and should take this first step so that future professional registration, whether the need for which is planned or unanticipated, will be more readily obtainable.

The FE exam is often used as an assessment tool for evaluating an engineering academic program against a national norm. Some individual institutional programs use the exam results over time to assess student learning, achievement of program outcomes, and the effects of curriculum revisions. When comparing institutions across the state, one should use the exam results with caution as all universities do not require their engineering students to take the exam. Furthermore, because each engineering program has unique strengths and goals, equal FE exam performance across all institutions should not be expected nor enforced.

Accordingly, it is the policy of the Florida Engineering Society that the engineering deans and department chairs should strongly support students taking the Fundamentals of Engineering examination prior to graduation as it is in the best short- and long-term career interests of the student.

Approved by the FES Board of Directors
June 13, 1980

Amended by the FES Board of Directors
August 4, 1994
July 29, 1999
November 17, 2015

**FLORIDA ENGINEERING SOCIETY
PROFESSIONAL POLICY (PP No. 28)**

REVIEW OF ENGINEERING DOCUMENTS

Chapter 471 F.S. states that "if incompetent engineers performed engineering services, physical and economic injury to the citizens of the state would result..." The law further defines engineering as "any service or creative work, the adequate performance of which requires engineering education, training and experience, in the application of special knowledge of the mathematical, physical and engineering sciences to such services or creative work as...evaluation...of engineering works and systems..." (emphasis supplied).

Frequently the documents and designs prepared by a professional engineer are subject to evaluation, review and change by governmental agency personnel who do not possess engineering education, training and experience. These personnel are therefore unable to make review judgments based on sound engineering principle and may be unfamiliar with innovative or state of the art engineering. Changes mandated by reviewing agencies without the benefit of education, training and experience may result in more expensive and/or less effective engineering and construction and as such are not in the best interests of the client and the citizens of the state.

The Florida Engineering Society believes that when a professional engineer's plans, documents, and/or design work are required to be reviewed, they should be reviewed by a professional engineer registered in the same state and having technical competence in the engineering discipline represented by the plans, document and/or designs. Any changes to such plans, documents, and/or designs dictated by various review levels must be in writing and signed by such other professional engineers.

Approved by the FES Board of Directors
April 14, 1981

Reaffirmed by the FES Board of Directors
November 17, 2015

**FLORIDA ENGINEERING SOCIETY
PROFESSIONAL POLICY (PP No. 30B)**

OPEN COMPETITION OF ENGINEERING SERVICES

The Florida Engineering Society supports the enactment of laws and regulations which require full and open competition for the acquisition of engineering services for public projects utilizing a qualifications-based selection procedure in accordance with Florida Statute 287.055. FES also supports qualification-based selection procedures for the procurement of all private sector services.

Adopted by the FES Board of Directors
March 23, 1989

Amended by the FES Board of Directors August
3, 1989
August 5, 1993

Reaffirmed by the FES Board of Directors August
14, 1997
November 7, 2008

**FLORIDA ENGINEERING SOCIETY
PROFESSIONAL POLICY (PP NO. 31)**

**RECOMMENDED PROCEDURE FOR SELECTION OF GEOTECHNICAL AND
MATERIALS ENGINEERING SERVICES**

The Florida Engineering Society recommends the following procedure for the selection of geotechnical & materials engineering services:

1. The owner and the architect or engineer as agent of the owner should select the geotechnical and materials engineer based upon qualifications. The Florida Engineering Society strongly recommends that the owner and his agents utilize only the services of a properly qualified and licensed geotechnical and materials engineer as defined in Chapter 471, F.S. In addition, the Society strongly recommends using a CMEC accredited engineering firm for concrete materials testing.
2. Selection of geotechnical and materials engineering services by public sector clients should be in accordance with the Consultants' Competitive Negotiation Act.

As approved by the Geotechnical & Materials Engineers
Council Executive Committee
November 18, 1992

Amended and approved by the FICE Board of Directors
December 3, 1992

Amended and approved by the FES Board of Directors
August 5, 1993

Reaffirmed by the FES Board of Directors August
14, 1997