



**By Joel Leininger, LS**

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## What Were We Thinking?



**I**n the last issue we explored the newest weapon proposed in the fight against deficient retracements: the ALTA/ACSM Record of Survey. Although well intentioned, I opined that the real solution rested not with new regulations, but with the resuscitation of three essential elements: appropriate education, more effective pre-licensure evaluation, and meaningful enforcement.

Let me preface my comments here by saying I mean no disrespect to those surveyors working in the trenches to educate, license or police surveyors. My sole intention is to focus on getting to the goal: widespread, sound retracement, by average surveyors.

The first extant deficiency is in the education, formal or otherwise, of surveyors. Most of what is missing (or wrong) in defective retracements could be cured through instruction. (I know that experience in searching for and evaluating evidence also plays a role, but my sense is that in most cases where experience runs off the track, it is because it

was informed by incorrect doctrine at the outset. Although both experience and correct doctrine are essential elements, if I were forced to pick one over the other, I would choose doctrine; without it, we have anarchy.)

But are the current four-year degrees the answer to this problem? Not from what I've seen. Instead of immersion in legal and other retracement-related topics, students must endure course after course on post-calculus mathematics, adjustments, geodesy, *ad nauseam*. Someone should drop the hint to the programs that control surveys—the natural beneficiaries of deep adjustments expertise—do not make up more than a small fraction of the average surveyor's workload. Notwithstanding our embarrassing foray into positional tolerance specifications for ALTA surveys, most surveyors do not have an adjustments fetish. Yet the content of the programs would seem to indicate that adjustments are central to our existence. Some four-year institutions have no graduates recruited by surveying firms. This, of course, begs the question: why are four-year "surveying" degrees not attracting

surveying employers? Can we infer that those graduates do not exit with the proper mix of skills for the average firm? No one can address these issues on a national level; there are too many variables in the mix. However, it is instructive to look at the accreditation guidelines for surveying programs. Most licensees will be surprised at the paucity of boundary and law-related courses required. Perhaps the disconnect should not be surprising after all. Oddly, those same programs exhort practicing surveyors to steer prospective students toward them. Huh?

Licensing boards do not insist that educational programs contain courses essential to effective retracement. One board member once insisted to me that he "didn't care *what* was in the program, as long as it had 'surveying' in the title." Now, as silly as that remark was on its face, it in fact verbalizes the actions of many in the licensing community. Some will insist that the licensing community *is* involved in the oversight of the four-year programs. Either the content of those programs belies that assertion, or the licensing community has a different impression of what surveying is all about. Having been a member of that community, I know of no such alternative impression.

### Foggy License Breakdown

The second problem concerns the evaluation of prospective surveyors. It is axiomatic that the licensing process is failing to prevent incompetent surveyors from achieving registration, at least some of the time. The common complaints about deficient surveys generally concern surveys conducted by licensed surveyors, not by unlicensed surveyors. Therefore, the scrutiny of those "incompetents" during the application phase failed to achieve the desired result. The fundamental reason for licensure is *competence assurance*; everything else associated with it is mere fluff. Were it not for

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# Point to Point

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the public's understanding that certain tasks (such as boundary retracement) could be safely accomplished only by those truly skilled at such an activity, no one would be prohibited from the practice. Indeed, until relatively recently, no one was prohibited from the practice.

If the education deficiency were not enough, Registration Boards—under pressure to eliminate any possibility of grading bias in tests (read: lawsuit attractors)—gradually moved away from essay-type tests to multiple-choice (guess) formats. (If your Board has not done it yet, it has at least thought about it, or been told to think about it.) Here is an instance where the interests of the state diverge from the interests of the consumer. Aside from the obvious fact that professional practice does not conform to a multiple-choice paradigm, few would argue that multiple-choice tests are not easier to bluff one's way through, especially the second or third attempt. As a result, the bar is lowered.

Another thing: Board appointments are purely political; they have little to do with subject matter expertise. I flatter myself thinking that I am better than average at some aspects of our practice, but I know my own appointment to the Maryland Board of Registration was solely a result of political considerations. It is thus with nearly all such appointments. Therefore, expertise in the subject matter cannot be assumed. Now, is it fair to say that none of the Boards across the country have the expertise needed? Of course not; I met some very qualified and earnest surveyors among board members across the country. But I also met some not-so-good ones. Obviously the vetting process is significantly hampered if the one doing the vetting is not up to speed himself.

We cannot eliminate appropriate education and truly discerning tests from the candidacy of future surveyors and then wonder why unqualified people are conducting retracements. Or I suppose we could, and then propose new regulations to fix that which was allowed to be broken in the first place, but that hardly seems efficient. Better to fix the problem than Band-Aid over it. *A*

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**In the Next Issue:** More Board Follies and Meaningful Enforcement