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## Professionalism, Logic, and Law

Three out of the four states in which I am licensed have mandatory continuing education requirements for renewing my professional land surveying licenses. The fourth is one of a minority without such requirements, including eight other states, several territories, and the District of Columbia. I don't consider it an imposition to comply with these requirements, and take credit only for programs I attend rather than present. After all, it is my professional responsibility to keep my mind active and my skills growing to best protect "the health, safety, and welfare of the public" (a standard concept throughout the states), knowing that the lay public has a legal right to rely upon the expertise presumed to accompany the professional status awarded by State Boards.

A recent discussion on the topic of acceptable and appropriate continuing education piqued my curiosity about differences between the states and territories that do enforce its completion prior to license renewal. My first stop was the website of the National Council of Examiners for Engineering and Surveying ([www.ncees.org](http://www.ncees.org)). While not knowing the age of the data on this site, information summarized for each state and territory told me that at the time of compilation seven states required course work on state-specific technical standards, six required ethics classes, and one mandated state-specific laws and professional conduct subject matter. This is not to say that other states prohibited these three areas as acceptable for fulfilling credits for license renewal, only that a number of states would not

renew licenses unless these topics were included in the continuing education completed by the licensee. Often these same subjects were recommended by other State Boards, but not compulsory.

But during this investigation, one particular state's categorization of certain topics as not appropriate or acceptable troubled me, and I went to that state's Office of Professions website to make sure that there had been no error on the NCEES site. There had not. While approving subjects in "Land surveying methods and techniques; or other matters of law and/or ethics which contribute to the practice of land surveying and the health safety, and/or welfare of the public...", the state's site also had this to say:

"... The subject matter of the course or educational activity must be related to professional practice. Subject areas that are not so related, such as, risk management, limiting the design professional's liability, project management related to profitability and maximizing fees, marketing and public relations, insurance, laws related to arbitration, mediation, liens (unless they are related to safeguarding the health, safety, and welfare of the public), real estate, real estate development, expanding a design professional's business, basic Auto CAD, personal development, general office management, accounting/financial planning, succession planning, zoning as it relates to increasing a developer or engineer/land surveyor's profitability, design build (unless it includes information on the laws related to

design build and its limitations in [State Name Omitted]) are non-acceptable subjects."

This Board is obviously trying very hard to protect the public and prohibit selfish pursuit of "personal development", although certain topics falling under that broad umbrella certainly would help protect the public. What about communications skills? Unless that state is unique, it is likely that a majority of complaints against licensed surveyors arise because of poor communication between client and surveyor, or even a complete lack of communication, whether verbal or written. While being better listeners and better communicators may help our marriages, this kind of personal development also enhances our clients' understanding of our work and its value. Co-workers and employees coincidentally reap the benefits of more open, more regular, and clearer communication.

Another prime source of complaints against surveyors is lack of sound office and business management skills. Among the banned topics, "general office management" includes everything from time management (making sure we can deliver services within promised time frames) to employee relations (including the legal matters of equal opportunity, ADA compliance, and tax payments), from documenting incoming messages (so we address client concerns appropriately) to communication, negotiation, and customer service skills (see the forbidden "personal development", above). There is some overlap between this list and the equally outlawed "accounting" (good records mean no overbilling).

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In the long run, this Board has eliminated some subjects that do serve society and the community at large. While other states also underscore their concern with public protection, they nevertheless include as acceptable continuing education topics “total quality process”, “land surveying software training”, and “business practices including project management, risk management, and ethics, which have demonstrated relevance to the licensee’s area of practice”.

We don’t all begin with identical experience, and we don’t continue our careers on identical paths, encountering identical situations under identical circumstances. Recent work on a committee defining a Body of Knowledge for surveying has opened wide-ranging conversation with other surveyors about what our profession really encompasses, and how to attain, retain, and improve our mastery of the specialized knowledge base required to be true professionals. Within the broad spectrum of “surveying” we find various levels of expertise in broad areas of imaging, positioning, land use and development, geographic information systems, and legal knowledge.

We do find common elements between these broad areas, although perhaps achieved differently. And so, some surveyors want to fill gaps in their knowledge base while others pursue highly specialized information. This points to a need for some flexibility in acceptable subjects intended to strengthen or maintain technical, ethical, and managerial competency. The unnamed state’s prohibition against “basic Auto CAD” is biased against surveyors who employed other approaches to computing and drafting in their earlier careers and now need to understand what they are supervising others to do. Certainly such understanding makes them more professional, allowing a fuller review of the documents presented to them for signature and seal.

Once a State Board sets its regulations, it can be hard to retract and revise them. Overly specific and shortsighted regulations may outlaw courses that would help us improve our practices and public interactions, courses that fulfill the public purpose of continuing education. The 20% of our country that does not yet have this requirement has an opportunity to review existing approaches carefully and get it right. 