

TEXAS SOCIETY OF PROFESSIONAL SURVEYORS

OFFICIAL REPORT FORMAT

ETHICS COMMITTEE REPORT

DIVISION: Society Affairs
COMMITTEE: Ethics

DIV #: 1

DIVISION OFFICER: Alan McClain
CHAIRMAN REPORTING: David A. McDow

BOARD MEETING DATE: August 29, 2009

ETHICS COMMITTEE REPORT

The Ethic Committee met at the Second Quarterly Board Meeting on June 7, 2009, in Austin, Texas. Committee members attending: were David A. McDow, Chairman, Al Hargraves, Susan Stewart, Bill O'Hara, Depsey Hannah, Michael Parker, Anne Glasgow, Lisa D. McDow who took the Committee minutes. Michael Parker stepped in and addressed the group stating how important he feels this committee is and can be. David talked about goals from the previous meeting and how he feels that the Ethics Committee should be more of an educational committee and less of a policing one. Anne told the group that "Restraint of Trade" might come into play if the Ethics Committee disciplines or ejects a member. Anne asked what the "seasoned members" had to say. David reported that he spoke in length with George Sanders and found out that when the Committee tried to censure a member he resented being "raked over the coals" and the Ethic Committee ultimately dropped the issue. George agreed that the Ethics Committee should be focused on educating the membership instead of trying to enforce ethics policies. Anne stated that the Ethics Committee took something to board right before became TSPS Executive Director. She said that the situation was referred to an attorney and it was ultimately brought to the Texas Board of Professional Land Surveying (TBPLS) attention. Al asked how we as a Committee would reach non-TSPS members. He stated that even some (most) TSPS members are only members to put on their resumes and are not active members. He believes that this committee would not reach very many people because of this fact. David stated that the chapter level Ethics Committee might work by hearing the initial complaint. Al followed up on what David said and added that the police effort starts at the Chapter level. Anne was asked what type of complaints she receives. She stated that she sees two kinds of complaints, public complaints on surveyors and surveyor complaints on other surveyors. Most of the complaints from the public stem from their belief that they have not received the service they requested and in reality they did not know how to ask for what they wanted surveyed. Surveyor to surveyor complaints are rare; most of the complaints she gets come from the public. It was stated that each Chapter should have at least an ethics chair. Anne stated that peer-to-peer policing would not work. Al stated that the State Committee should educate Chapters then also have a small police unit to take action if needed. Anne reminded everyone that the State Ethics Committee has a higher level of credibility. It was stated that local chapters could not handle some things and that they should be referred to TBPLS. Al stated that the Ethics Committee should not be a rules interrupter. Al is currently redefining Article X. Two main objectives are Chapter Level Ethics Committee status and what the main Ethics Committee should do. David asked the questions: If there is an ethics violation, what shall this committee do about it? He asked the group also if this committee should just promote Ethics Education. Al stated if rules are violated the Ethic committee should turn it over to TBPLS. Anne stated that the TBPLS does not want TSPS in the middle. They want the complaint to come directly to them. She thought that the average number of complaints taken to TBPLS per year was around 46 but Bill said he thought it was more like 76. Al felt like Ethics training should be present at Chapter meetings. David asked again of the group – What do we want this committee to do? The answer is to Promote Education. It was discussed that this issue is too big for a one-year committee to solve. It was discussed that when the committee was making great progress it would be time to hand the issue over to a new committee that would start over and the issue would not be solved. Anne suggested that the Ethic Committee become a Task Force. This can happen if Michael Parker would assign the committee task force status. It was stated that the Ethics Committee should be taken out of the By-laws and Article X completely. Changes to the By-laws and/or the Constitution require member approval by vote. Everyone liked the suggestion of the Task Force vs. Committee. It was discussed that the Task Force could be made up of five representatives similar to the Area Representatives already in place. East – Al, North – Susan, Central – David, South – Maybe Mike McGinnis, West – Maybe Charlie Gutierrez.

Respectfully Submitted,
David A. McDow