Report on a Case by the Board of Ethical Review

Case No. 69-10

Criticism of Other Engineer Through Accrediting Report

Facts:
Engineer A was employed by a new area community college as a curriculum coordinator for its technical division; later his assignment was changed to that of a regular faculty member. Three months after Engineer A became a regular faculty member the area community college was evaluated by a state accrediting association through a three-man team, one member of which was Engineer B, an educator in another technical institute. The report of the accrediting team contained a number of criticisms regarding the technical curriculum. Engineer A felt that many of the criticisms were in error and reflected on him because he was personally responsible for the policies and procedures which were criticized.

At about the time the accrediting report was received, Engineer A resigned from the college and was unable to find employment in his home state. He felt that the criticism in the accreditation report was one of the reasons for his difficulties. Engineer A wrote to Engineer B for clarification of the criticism, suggesting that Engineer B had erred in his responsibilities and ethical duty in criticizing the work of another engineer. Engineer B did not reply to the letter on the advice of the accrediting agency, which replied to Engineer A that Engineer B did not write the report alone, and that at least two other members of the accrediting team were qualified to discuss technical education.

Question:
Was Engineer B unethical in participating in criticism of the duties and work of Engineer A without giving Engineer A the opportunity to comment before the report was issued?

References:
Code of Ethics - Section 5 - "The Engineer will express an opinion of an engineering subject only when founded on adequate knowledge and honest conviction."

Section 12-"The Engineer will not attempt to injure, maliciously or falsely, directly or indirectly, the professional reputation, prospects, practice, or employment of another engineer, nor will he indiscriminately criticize another engineer's work in public. If he believes that another engineer is guilty of unethical or illegal practice, he shall present such information to the proper authority for action."

Section 12(b)-"An Engineer in governmental, industrial, or educational employ is entitled to review and evaluate the work of other engineers when so required by his employment duties."

Discussion:

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The accreditation of engineering schools and technical institutes is a necessary function to, maintain high standards for the profession, and it is the right and duty of engineers to participate in this function to the extent possible. We assume in the absence of any facts to the contrary that Engineer B was qualified to be a member of the team which issued the report on the technical aspects of the area community college and that he met the mandate of Section 5 of the Code in that the opinions he expressed as a member of the accrediting team were based on adequate knowledge and honest conviction.

Engineer A should have been aware that the college would seek accreditation, that the policies, procedures, curriculum, and plans of the college would be reviewed in detail, and that a report with criticisms and recommendations would result. He should also have known that the conclusions of the accrediting team would not be discussed with any members of the college prior to its issuance.

Assuming that the critical report was injurious to the reputation of Engineer A, Section 12 of the Code does not prohibit all criticism of the work of another engineer. It only applies to criticism or other action which will be injurious to another engineer when such criticism or other action is malicious or false. The critical report was, in a sense, public, but again Section 12 does not rule out public criticism except when it is indiscriminate. We find no basis to conclude that the critical report was "indiscriminate," even if we assume for the purpose of discussion that the criticism and comments on the technical program might have been erroneous or represent a difference of opinion. It is beyond our purview to "second guess" the report of the accrediting team. We do state the principle, however, that criticism of this nature is justifiable, and even necessary, in the context of an honest evaluation of technical education curricula and procedures.

The function of an accrediting team is not to debate its views and conclusions with those responsible for the activity being reviewed; this could lead only to interminable delay in reaching a conclusion. An accrediting team necessarily works on a unilateral basis because its function is to judge.

Finally, Engineer B as an educator was within the exception stated in Section 12(b) of the Code, which specifically permits an engineer in his field of practice to review and evaluate the work of other engineers when so required by his employment duties. Technically, Engineer B did not represent the educational institution in which he is employed, but we consider it part of the "employment duties" of educators to serve on accrediting teams in their fields of competence.

Conclusion*:

Engineer B was not unethical in participating in criticism of the duties and work of Engineer A without giving Engineer A the opportunity to comment before the report was issued.

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