Report on a Case by the Board of Ethical Review

Case No. 79-5

Academic Qualifications

Facts:
Engineer A received a Bachelor of Science degree in 1940 from a recognized engineering curriculum, and subsequently was registered as a professional engineer in two states. Later, he was awarded an earned "Professional Degree" from the same institution. In 1960 he received a Ph.D. degree from an organization which awards degrees on the basis of correspondence without requiring any form of personal attendance or study at the institution, and is regarded by state authorities as a "diploma mill." Engineer A has since listed his Ph.D. degree among his academic qualifications in brochures, correspondence, and otherwise, without indicating its nature.

Question:
Was Engineer A ethical in citing his Ph.D. degree as an academic qualification under these circumstances?

References:
Code of Ethics - Section 3(a) - The Engineer shall not make exaggerated, misleading, deceptive, or false statements or claims about his professional qualifications, experience, or performance in his brochures, correspondence, listings, advertisements, or other public communications."

Section 3(b) "The above prohibitions include, but are not limited to, the use of statements containing a material misrepresentation of fact or omitting a material fact necessary to keep the statement from being misleading; statements intended or likely to create an unjustified expectation; statements containing prediction of future success; statements containing an opinion as to the quality of the Engineer's services; or statements intended or likely to attract clients by the use of showmanship, puffery, or self-laudation, including the use of slogans, jingles, or sensational language or format."

Discussion:
In Case 72-11 we dealt with a related question under a slightly different wording in the Code (then 3(e)), which declared it unethical for an engineer to allow himself to be listed for employment using exaggerated statements of his qualifications. In that case, however, the alleged offense related to statements for employment in which the engineer played down his major technical design experience to emphasize his lesser managerial and administrative experience in order to meet employment opportunities then available. We concluded that such action was not unethical under the "exaggerated" standard because the engineer had in fact some degree of competence in the managerial and administrative areas, and because his action was not intended to deceive a prospective employer by an untruthful statement.

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Now the language of the Code has been revised and extended beyond the "exaggerated" standard to embrace misleading, deceptive, or false statements regarding professional qualifications. The mandate of 3(a) has been buttressed by the requirement in 3(b) that statements prohibited in 3(a) should not omit a material fact necessary to keep the statement from being misleading.

We believe that this case should be resolved on the basic question of whether a claim to a Ph.D. degree under these circumstances is "misleading." Ordinarily, employers, clients, and the engineering profession generally understand that a statement of academic achievement in the form of a degree means an earned degree from an accredited educational institution. Thus, it is customary for those who may list an honorary degree, for instance, to indicate that it is not an earned degree by use of "Hon." after the citation of the degree. The state engineering registration laws usually refer to academic qualifications as a basis for examination or otherwise to qualify for registration by reference to a degree approved by the state board. Most state boards apply that type of language to refer to a degree awarded through completion of an engineering program approved by the Engineers' Council for Professional Development, which is the nationally recognized accrediting agency for engineering education.

It is beyond our purview to comment broadly on the pros and cons of correspondence courses, or the awarding of certain degrees by mail. Whatever other merit this type of education may have for an individual, it is enough for our purpose to say that mail order degrees are not the accepted norm in the engineering profession and uniformly will not be recognized by state registration boards or the profession itself as meeting required educational standards.

Under these conditions we must conclude that Engineer A is charged with knowledge of the accepted standards of the profession. In saying that he had a Ph.D. degree, he should have been aware that those who received his communications would be deceived. There is some flexibility allowed for state registration boards to decide which educational attainments meet the standards for registration purposes, and there is some flexibility allowed to members of the profession in listing academic degrees from institutions or curricula not recognized by the state boards. But the bounds of such flexibility are exceeded when the basis for the claimed educational achievement is a mail order procedure not involving recognition by any recognized accrediting body. Finally, we add that it would not be sufficient for Engineer A to overcome the objection by merely listing the name of the organization which awarded the mail order degree. Such organizations may have impressive names which would lead the person receiving the communication to assume that it is a recognized educational institution, and that the claimed degree is one to be taken at face value.

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Conclusion:

Engineer A was unethical in citing his Ph.D. degree as an academic qualification under these circumstances. Board of Ethical Review Louis A. Bacon, P.E. Robert R. Evans, P.E. James G. Johnstone P.E. Robert H. Perrine, P.E. James F. Shivler, Jr., P.E. L. W. Sprandel, P.E. Donald C. Peters, P.E., chairman

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