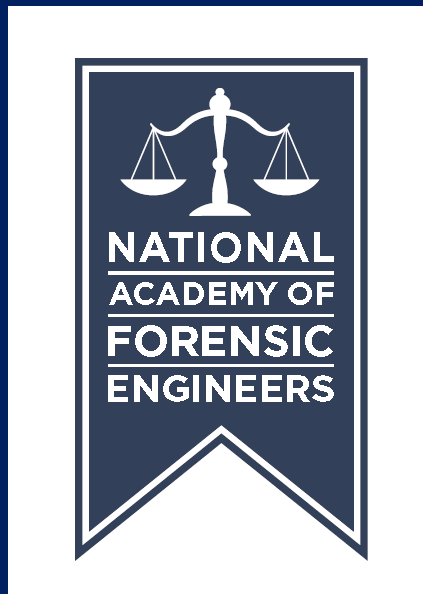


NAFE Application for CESB Certification Program Accreditation



**National Academy of
Forensic Engineers
August 2016**

2016
NAFE Re-Accreditation
Application



Application for Certification Program Accreditation

Application Completion Instructions & Checklist

1. Use one complete application form for **EACH** certification program for which accreditation is sought; a \$200 application fee is required for each application.
2. Submit your application in electronic form on a flash drive, plus one bound hard copy and the application fee to the address below.
3. Provide all **mandatory documentation with identified tabs, folder or file names, or electronic bookmarks** when submitting the completed application to verify and support your response(s) to the application questions or adherence to CESB mandatory guidelines. When prompted, you must document your adherence to CESB Guidelines by listing the document or policy **name** and **location in the shaded spaces**.
 - a. **Referencing the documentation** to support your response(s) **is stating** the name of the policy, procedure or legal document. You may also include a link to your website, if you believe it will be helpful to the accreditation application evaluators.
 - b. **Referencing the location** of these documents **is stating** the physical location within the application package.

Example

Supporting Document(s) Name: Constitution & Bylaws, Article II, Section 5 (www.myco.org/legaldocs) Examination Results Policy 3.1.10	Physical Location in application package: Tab A, Page 4, paragraph 3 Governance Folder, Application file, page 3
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4. **Submit your application for accreditation** with suitable responses in the spaces provided for each section and attach a separate sheet for any response exceeding the allotted space, with the section noted in the header. If you cannot use the editable PDF form onscreen, please contact the CESB office at wanderson@cesb.org or (443) 994-5455. **NOTE: When submitting an application for Re-Accreditation, it must be submitted 120 days prior to the accreditation expiration date or no later than October 31.**
5. If you were subject to a corrective action requirement in the CESB Accreditation Action Report for the subject program during your last accreditation or re-accreditation, **you must submit a copy of that Report with the completed application.**
6. It is the applicant's responsibility to ensure the application is accurate and complete. If the application contains errors or has incomplete responses or does not include mandatory documentation, it will be returned to the applicant for correction before detailed review.
7. If questions arise during review of the application that require more clarity or documented information, you will be requested to provide answers by a supplemental submittal.
8. The application fee is non-refundable and does not guarantee accreditation or re-accreditation of your program.

Ship the completed application and \$200.00 application fee (made payable to CESB) to:

**Council of Engineering & Scientific Specialty Boards (CESB)
2198 Johns Hopkins Road
Gambrills, MD 21054**

This application is for:	<input type="checkbox"/> Initial Accreditation	<input type="checkbox"/> Re-accreditation
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GENERAL INFORMATION

1. Certifying body making application:

Please list the Organization Name, Address, Phone, Fax and Website address

Person to contact (Name & Title): _____

2. Name of program for which accreditation sought: _____

3. Certification Title/Designation Granted: _____

Category of certification (select one):

<input type="checkbox"/> PROFESSIONAL ENGINEER CATEGORY <i>(by selecting this category, you confirm compliance to both statements and are providing documentation to support compliance in the space provided.)</i> <ul style="list-style-type: none"> ✓ CESB requires candidates for certification to be licensed as Professional Engineer by the lawfully constituted licensure board of any state or jurisdiction of the United States or the equivalent licensure from another country as determined by the Certifying Body. ✓ CESB requires candidates for certification to have at least six (6) years of experience in engineering following the baccalaureate degree or have at least two (2) years of experience in engineering following licensure, acceptable to the Certifying Body. 	
Supporting Document(s) Name:	Physical Location in application package:
<input type="checkbox"/> GRADUATE ENGINEER CATEGORY <i>(by selecting this category, you confirm compliance to both statements and are providing documentation to support compliance in the space provided.)</i> <ul style="list-style-type: none"> ✓ CESB requires candidates for certification to hold an EAC / ABET accredited degree (or equivalent). ✓ CESB requires candidates for certification to possess a minimum of four years of practical, responsible experience in the specialty certified that is acceptable to the Certifying Body. 	
Supporting Document(s) Name:	Physical Location in application package:
<input type="checkbox"/> ENGINEERING RELATED CATEGORY <i>(by selecting this category, you confirm compliance to both statements and are providing documentation to support compliance in the space provided.)</i> <ul style="list-style-type: none"> ✓ CESB requires candidates for certification to hold a baccalaureate degree (accredited by an accrediting body recognized by the Council on Postsecondary Accreditation) in a field related to engineering (or equivalent). ✓ CESB requires candidates for certification to possess a minimum of four years of practical, responsible experience in the specialty area acceptable to the Certifying Body. 	
Supporting Document(s) Name:	Physical Location in application package:
<input type="checkbox"/> ENGINEERING TECHNICIAN CATEGORY <i>(by selecting this category, you confirm compliance to both statements and are providing documentation to support compliance in the space provided.)</i> <ul style="list-style-type: none"> ✓ We require candidates for certification to have demonstrated a level of knowledge equivalent to that associated with an accredited engineering technology associate degree. ✓ We require candidates for certification to possess a minimum of two years of relevant work experience acceptable to the Certifying Body. 	
Supporting Document(s) Name:	Physical Location in application package:

4. If your program grants certificates in subspecialties, please document them in the spaces provided.
(e.g. *Diplomate Environmental Engineer in Solid Waste Management*)

Supporting Document(s) Name:	Physical Location in application package:

5. When did the program begin? _____ (Month/Year)
How many certificates have been awarded since the program began? _____
Of these, how many are currently active? _____

1.0 PURPOSE OF THE CERTIFICATION PROGRAM

- a. Describe succinctly the purpose of the certification program in accordance to your organization's constitution and bylaws and document your adherence to CESB Accreditation Guideline 1.0 in the spaces provided.

Supporting Document(s) Name:	Physical Location in application package:

2.0 STRUCTURE OF THE CERTIFYING BODY

- a. The structure of your organization must match one of the following options. Please indicate your organization's structure and document your adherence to CESB Accreditation Guideline 2.0.a in the spaces provided. **Copies of Articles of Incorporation and Bylaws are required.**

- ☐ Non-profit, non-governmental organization
☐ Non-profit, governmental organization

Is the organization incorporated? ☐ Yes ☐ No

If yes, specify the state name? _____

Supporting Document(s) Name:	Physical Location in application package:
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- b. The certifying body must be independent in certification program decisions. Please confirm you meet this condition and document your adherence to CESB Accreditation Guideline 2.0.b in the spaces provided.

Supporting Document(s) Name:	Physical Location in application package:
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- c. The certifying body must consist of a majority of certified individuals. Provide the information below and document your adherence to CESB Accreditation Guideline 2.0.c in the spaces provided.

Total # of members: _____ how many are certified by the organization: _____

Supporting Document(s) Name:	Physical Location in application package:
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- d. There must be a formal procedure for the selection of members of the certifying body, which shall also prohibit the selection of more than one-third of its membership. Please confirm your process selecting your method and document your adherence to CESB Accreditation Guideline 2.0.d in the spaces provided.

☐ Election

☐ Appointment

If members are appointed, who appoints them?

Supporting Document(s) Name:	Physical Location in application package:
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3.0 RESOURCES OF THE CERTIFYING BODY

- a. Financial - A copy of the organization's Balance Sheet and Statement of Revenue & Expense is required. Adequate financial resources to properly conduct certification activities are required. Document your adherence to CESB Accreditation Guideline 3.0.a in the spaces provided

1. Annual budget:

Total Organization: \$  262,644.09

Certification Operation: \$ _____

2. Organization's Financial Reserves: \$ _____

(An organization's financial reserves are its liquid, unrestricted, current assets as shown on the balance sheet.)

Supporting Document(s) Name:	Physical Location in application package:
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3. Method of generating revenue (select all that apply):

- ☐ Certification Fees ☐ Publications ☐ Contracts ☐ Exhibits
☐ Membership Dues ☐ Conferences ☐ Investment Income

b. **Personnel** – For the following three items, you must include an Organizational Chart, documentation for the roles and responsibilities of those involved in the certification program, and documentation of education and experience for those involved in certification decisions.

1. Provide the name, title and description of primary responsibilities of staff involved in certification operation in the space below:

Name	Title	Responsibilities

2. Does the organization use service providers? ☐ Yes ☐ No

If yes, list the provider and describe service provided:

Service Provider Name	Services Provided

3. Describe the role(s) of persons or committees other than staff or service providers in the certifying program operation:

Person or Committee	Description of Responsibility

Document your adherence to CESB Accreditation Guideline 3.0.b in the spaces provided.

Supporting Document(s) Name: <ul style="list-style-type: none">Organizational Chart	Physical Location in application package:
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3.0.b continued

Supporting Document(s) Name: <ul style="list-style-type: none">List of roles & responsibilities of those involved in the certification program	Physical Location in application package:
Supporting Document(s) Name: <ul style="list-style-type: none">List of roles & responsibilities of those involved in certification decisions	Physical Location in application package:

4.0 CERTIFICATION PROGRAM OPERATION

a. Scope

The certification program may be national or international in scope. Please specify the scope of your program:

- ☐ USA Only ☐ International without limitation
☐ USA, plus the following countries: _____

- b. The program must provide the opportunity for the public, consumers and sponsoring organizations to have input into the policies and decisions of the certifying body. Please describe how you provide opportunities and document your adherence to CESB Accreditation Guideline 4.0.b in the spaces provided.

Type	Policies	Decisions
Public		
Supporting Document(s) Name:	Physical Location in application package:	
Consumers		
Supporting Document(s) Name:	Physical Location in application package:	
Sponsoring Organizations		
Supporting Document(s) Name:	Physical Location in application package:	

- c. The program must use procedures for assuring relevance of the knowledge, skills, and abilities used to define the specialty's body of knowledge. Please document your adherence to CESB Accreditation Guideline 4.0.c in the spaces provided.

Briefly describe the mechanism.	
Supporting Document(s) Name:	Physical Location in application package:

- d. The program must use a method to evaluate individual competence that is objective, fair and based on the knowledge, skills and abilities needed to function in the specialty area. Document your adherence to CESB Accreditation Guideline 4.0.d in the spaces provided.

Please specify the method(s) used to evaluate a person seeking certification (*select all that apply*):

- ☐ Verification of academic credentials
 ☐ Evaluation of work experience
☐ Written examination
 ☐ Oral examination

Briefly describe the mechanism.	
Supporting Document(s) Name:	Physical Location in application package:

- e. The program must assure procedures are established for examination reliability and validity. Please briefly describe your procedure and document your adherence to CESB Accreditation Guideline 4.0.e in the spaces provided.

Procedure Type	Description
Reliability is the ability of different examiners to arrive at similar scores.	
Supporting Document(s) Name:	Physical Location in application package:
Validity is the ability to effectively measure the desired parameters	
Supporting Document(s) Name:	Physical Location in application package:

- f. The program must assure any examination used is designed to test the Body of Knowledge of the certification. Please briefly describe your mechanism and document your adherence to CESB Accreditation Guideline 4.0.f in the spaces provided.

Briefly describe the mechanism.	
Supporting Document(s) Name:	Physical Location in application package:

- g. The program must ensure Pass or Fail scores are fairly set and consistent with generally accepted psychometric principles. Please briefly describe your mechanism and reference the supporting document(s) and the location of documentation to support your adherence to CESB Guideline 4.0.g.

Briefly describe the mechanism.	
Supporting Document(s) Name:	Physical Location in application package:

- h. The program must utilize appropriate measures to protect the security of any examination used to evaluate individuals for certification. Please briefly describe your mechanism and reference the supporting document(s) and the location of documentation to support your adherence to CESB Guideline 4.0.h.

Briefly describe the mechanism.	
Supporting Document(s) Name:	Physical Location in application package:

- i. The program must review at least every five years, or more often, the body of knowledge and methods used to measure individual capability to assure it is keeping pace with changes in technology and professional practices. Please briefly describe your mechanism and reference the supporting document(s) and the location of documentation to support your adherence to CESB Guideline 4.0.i.

Briefly describe the mechanism.	
Supporting Document(s) Name:	Physical Location in application package:

Please specify the last known BoK review for this certification: _____ (Month/Year)

- j. **The program must prohibit those involved in the certification of individuals from providing training for the purpose of obtaining such certification. Please briefly describe your mechanism and reference the supporting document(s) and the location of documentation to support your adherence to CESB Guideline 4.0.j.**

Briefly describe the mechanism.	
Supporting Document(s) Name:	Physical Location in application package:

- k. **The program must define and maintain policies describing the ethical behavior expected of its Leaders, Volunteers, Certificants, Contractors and Staff. Please list the policy used for the specified group and reference the location of the documentation to support your adherence to CESB Guideline 4.0.k.**

Group	Supporting Document(s) Name:	Physical Location in application package:
Leaders		
Volunteers		
Certificants		
Contractors		
Staff		

5.0 PUBLIC DISCLOSURE OF CERTIFICATION

- a. **The program must publish a document that clearly defines the responsibilities of the certifying body pertaining to operation of the certification program and outline any activities of the certifying body not related to certification. Please briefly describe your mechanism and reference the supporting document(s) and the location of documentation to support your adherence to CESB Guideline 5.0.a.**

Briefly describe the mechanism	
Supporting Document(s) Name:	Physical Location in application package:

www.nafe.org/membership

Bylaws Article III

Bylaws Article IV

Bylaws Article V

Bylaws Article VI

Bylaws Article X, Section 2

- b. The program must make available to the public, a general description of procedures used to construct and validate its exams, examination administration and reporting of examination results. Please provide the location of the documentation to support your adherence to CESB Guideline 5.0.b.

Procedure	Supporting Document(s) Name:	Physical Location in application package:
Construction and validation of exams		
Examination Administration		
Reporting of Examination Results		

- c. The program must publish a comprehensive summary or outline of the information, knowledge or functions covered by any examination that may be required. Please briefly describe your mechanism and reference the supporting document(s) and the location of documentation to support your adherence to CESB Guideline 5.0.c.

Briefly describe the mechanism	
Supporting Document(s) Name:	Physical Location in application package:

- d. The program must publish, at least annually, a summary of certification activities, including the number of applicants, number certified, and number recertified. Please briefly describe your mechanism and reference the supporting document(s) and the location of documentation to support your adherence to CESB Guideline 5.0.d.

Briefly describe the mechanism	
Supporting Document(s) Name:	Physical Location in application package:

6.0 RESPONSIBILITIES TO APPLICANTS

- a. The program must not discriminate among applicants as to age, sex, race, religion, national origin, disability, or marital status. Please confirm you satisfy this condition by referencing the supporting document (s) and location of documentation to support your adherence to CESB Guideline 6.0.a.

Supporting Document(s) Name:	Physical Location in application package:
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- b. The program must provide all applicants with copies of formalized procedures for application and attainment of certification. Please confirm you satisfy this condition by referencing the supporting document (s) and location of documentation to support your adherence to CESB Guideline 6.0.b.

Supporting Document(s) Name:	Physical Location in application package:
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- c. The program must formally and periodically review its application, testing, and scoring procedures to ensure that they are fair and equitable. Please confirm you satisfy this condition by referencing the supporting document (s) and location of documentation to support your adherence to CESB Guideline 6.0.c.

Supporting Document(s) Name:	Physical Location in application package:
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- d. The program must provide competently proctored testing sites that are readily accessible in all areas congruent with the scope of their program, at least annually. Please specify who proctors your exams and reference the location of the documentation to support your adherence to CESB Guideline 6.0.d.

Proctor Type	Supporting Document(s) Name:	Physical Location in application package:
<input type="checkbox"/> Certificate holders		
<input type="checkbox"/> Service provider		
<input type="checkbox"/> Other: _____		

- e. The program must promptly report examination results. Please confirm you meet this condition by referencing the supporting document (s) and location of documentation to support your adherence to CESB Guideline 6.0.e.

Supporting Document(s) Name:	Physical Location in application package:
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What is the average time for reporting results for this examination? _____

- f. The program must provide candidates who fail an examination a summary of the general area(s) of deficiency. Please specify how you provide this information and reference the supporting document (s) and location of documentation to support your adherence to CESB Guideline 6.0.f.

Method	Supporting Document(s) Name:	Physical Location in application package:
<input type="checkbox"/> In writing		
<input type="checkbox"/> Orally		

<input type="checkbox"/> Combination of written & oral		
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- g. The program must maintain the confidentiality of each applicant's examination results, recertification information, and any other information on file unless authorized to release the information by the candidate/certificant or if required by law. Please confirm you satisfy this condition by referencing the supporting document (s) and location of documentation to support your adherence to CESB Guideline 6.0.g.

Supporting Document(s) Name:	Physical Location in application package:

- h. The program must have a formal, published policy by which an applicant/certificant can appeal a decision of the organization pertaining an application, examination scoring, or certification. Please confirm you satisfy this condition by referencing the supporting document (s) and location of documentation to support your adherence to CESB Guideline 6.0.h.

Supporting Document(s) Name:	Physical Location in application package:

- i. The program must not require training by the Certifying Body as a prerequisite for certification. Please confirm you meet this condition by referencing the supporting document (s) and location of documentation to support your adherence to CESB Guideline 6.0.i.

Supporting Document(s) Name:	Physical Location in application package:

7.0 RESPONSIBILITIES TO THE PUBLIC AND CONSUMERS

- a. The program must adhere to each of the following practices. Please confirm your program satisfies this condition by referencing the supporting document (s) and location of documentation to support your adherence to CESB Guideline 7.0.a:

1. Assure the title(s) awarded by the program accurately reflect the body of knowledge covered by the certification.	
Supporting Document(s) Name:	Physical Location in application package:
2. Assure the program's examinations adequately measure the knowledge, skills, and abilities required for practice in each specialty area certified.	
Supporting Document(s) Name:	Physical Location in application package:
3. Award certificates ONLY after an applicant's qualifications have been evaluated and found acceptable.	
Supporting Document(s) Name:	Physical Location in application package:

4. Maintain a free publicly accessible roster of valid certificate holders.	
Specify how your roster is published:	
<input type="checkbox"/> The roster is published <input type="checkbox"/> The roster is maintained on an Internet accessible computer database <input type="checkbox"/> The roster is accessible by written or phone request <input type="checkbox"/> How often is the roster updated? _____	
Supporting Document(s) Name:	Physical Location in application package:
5. Maintain a formal due process and procedures for discipline of certificants, including revocation of certification.	
Supporting Document(s) Name:	Physical Location in application package:

8.0 RECERTIFICATION

- a. The program must limit certification to no more than five years. Please specify the certified terms for this certification (select one) and reference the supporting document (s) and location of documentation to support your adherence to CESB Guideline 8.0.a.

☐ 1 year
 ☐ 2 years
 ☐ 3 years
 ☐ 4 years
 ☐ 5 years

Supporting Document(s) Name:	Physical Location in application package:
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- b. The program must have a process for maintenance of certification qualifications. Please specify how recertification is obtained in your program and reference the supporting document (s) and location of documentation to support your adherence to CESB Guideline 8.0.b.

<input type="checkbox"/> Re-examination	
Supporting Document(s) Name:	Physical Location in application package:

<input type="checkbox"/> Combination of continuing professional experience, professional development and professional activity NOTE: CESB accreditation guidelines require a <u>minimum average of 20-hours per year</u>	
How does your organization record value? <input type="checkbox"/> PDH <input type="checkbox"/> CEU <input type="checkbox"/> Units <input type="checkbox"/> Points <input type="checkbox"/> Credits <input type="checkbox"/> Other: _____	
By using the guidance statement listed below, describe how your organization meets the CESB guideline.	

Guidance Statement: It is not the intent of CESB to dictate what evaluation measure is used for an organization's certification renewal requirements. However, applicants for CESB accreditation must require a minimum average of 20 hours per year of professional development activity over the certification term (please refer to CESB Accreditation Guideline 8.0 (b)). If your organization measures professional development by points, credits or etc., **there must be a conversion between the professional development activity and the time investment in hours.**

Point/Credit Conversion example: The maximum points awarded for completion of an online seminar is 3 points for your organization's renewal requirements. The online seminar was 2 hours in length. For the purpose of satisfying the CESB item 8.b of the Accreditation Guidelines, the activity would equate to 2 professional development hours (PDHs) towards the renewal.

Cycle average example: Your program's renewal period runs for 3 years. The professional development hours accumulated for your certificant may be as follows: Year 1 = 15 PDHs, Year 2 = 25 PDHs, and Year 3 = 21 PDHs. The average over the 3 year period would be $(15+25+21)/3$ years = 20.333 average PDH accumulation over the renewal period which is acceptable for the purpose of CESB's requirement of a minimum average of 20 PDHs/year.

Supporting Document(s) Name:	Physical Location in application package:
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☐ **Other (please describe):** _____

Describe how your organization meets the CESB guideline with this method.

Supporting Document(s) Name:	Physical Location in application package:
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9.0 TITLES

- a. The program must adhere to each of the following requirements. Please confirm the program satisfies this condition by referencing the supporting document (s) and location of documentation to support your adherence to CESB Guideline 9.0.a.

1. Limit the use of "engineer" or "engineering" without modifications (e.g. engineering technologist, engineering technician) in its titles to only those persons possessing a valid professional engineering license or a baccalaureate or higher degree in engineering from an EAC / ABET accredited institution or equivalent.	
Supporting Document(s) Name:	Physical Location in application package:
2. Limit the use of "Diplomate" in its titles to only those persons possessing a valid professional engineering license (registration).	
Supporting Document(s) Name:	Physical Location in application package:

3. Use effective procedures to assure that any titles or trademarks granted to certified persons are properly used.	
Supporting Document(s) Name:	Physical Location in application package:

APPLICATION CERTIFICATION STATEMENT

I, the undersigned, personally certify, on behalf of the organization named in this application that it voluntarily submits this application; that it will abide by the decision made by the Council of Engineering and Scientific Specialty Boards; and, that all information contained herein and attached hereto, is true and correct to the best of my information and belief.

Name of Organization	By Name & Title
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Signature	Date
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[Click to Return to Top of Application](#)

NAFE
Articles of Incorporation
and
Bylaws

NAFE

ARTICLES of INCORPORATION

and BYLAWS

ARTICLES OF INCORPORATION

The National Academy of Forensic Engineers, having been founded in 1982 by Marvin M. Specter, P.E., L.S., Paul E. Pritzker, P.E., and William A. Cox, Jr., P.E., having associated in 1982 to form a non-stock corporation with members, and having been granted a Certificate of Incorporation in the District of Columbia on May 25, 1982, now hereby apply for incorporation as a non-stock corporation under the provisions of Chapter 2 of Title 13.1 of the Code of Virginia, and upon approval of this application shall relinquish and surrender the prior corporation to the District of Columbia, and to that end set forth the following:

- (a) The name of the Corporation is NATIONAL ACADEMY OF FORENSIC ENGINEERS.
- (b) The duration of the Corporation is perpetual.
- (c) The purpose or purposes for which the corporation is organized are to be exclusively educational and charitable within the meaning of the Internal Revenue Code of 1954, as amended, and the laws of the Commonwealth of Virginia include:
 - 1. To improve the practice, elevate the standards and advance the cause of forensic engineering, as the term "forensic engineering" is defined in the Bylaws.
- (d) The corporation shall have individual members who shall be selected by an Admissions Committee as provided in the Bylaws.
- (e) The corporation is to be divided into three or more classes of members as provided in the Bylaws. These classes shall have the right to elect the officers and directors. All voting members are required to be licensed professional engineers pursuant to the registration laws within the United States or Canada, be a member in the National Society of Professional Engineers and possess an acceptable grade of membership in a national or international recognized engineering technical society as further provided in the Bylaws. The qualifications and rights of each class of membership shall be as provided in the Bylaws.
- (f) The directors of the corporation shall be composed of these officers: President, President Elect, Senior Vice-President, Vice-President, Treasurer, Secretary, as many as the three most recent and available Past-Presidents, and as many as two Directors-at-Large who hold no elected office. Directors-at-large and officers shall be elected by vote of the members in the manner prescribed in the Bylaws and shall be elected for terms of one year. Officers shall serve until their successors are duly elected and qualified except that the President-Elect shall automatically succeed to the office of President and the Past-Presidents shall serve ex officio.
- (g) The affairs of the corporation shall be determined and governed by the directors in accordance with the Bylaws, which shall include, without limitation:
 - 1. To purchase, rent, hire or otherwise acquire, and to provide, erect, make, maintain, establish and operate offices, and other facilities, and all necessary or convenient equipment for, and accessories to any or all thereof, to engage and employ such assistance as may be deemed

necessary or desirable in connection with any of such purposes and object.

2. Except as specifically prohibited by law, to accept any gift, grant, endowment, devise or bequest made to the corporation at any time to further its general purposes.
 3. To have final authority in the discipline of members, which may include, but is not limited to revocation of membership, as provided in the Bylaws.
 4. To keep and maintain a register of valid holders of membership and certificates granted by the corporation.
 5. To do all such acts as are necessary or convenient to the attainment of the activities and purposes herein set forth.
 6. To do any act not prohibited for corporations under the laws of the Commonwealth of Virginia unless otherwise prohibited herein.
- (h) If the corporation should be dissolved, no member will receive any portion of its remaining assets or property; upon dissolution, the balance of any assets or property of the Corporation which remains after all debts or obligations are paid will be distributed to any other nonprofit corporation which has been determined by the IRS to be exempt from federal income taxes under section 501(c)(3) of the internal Revenue Code.
- (i) The post office address of the initial registered office is 2433 North Landing Road, Princess Anne Courthouse, Virginia Beach, Virginia 23456. The name of the City in which the initial registered office is located is Virginia Beach, Virginia. The name of the initial registered agent is William A. Cox, III, Esq., who is a resident of Virginia and who is a member of the Virginia State Bar, and whose business office is the same as the registered office of the corporation.
- (j) The number of directors constituting the initial board of directors for this Virginia Corporation is eight (8) and the names, addresses, and offices of the persons who are to serve as these directors, each of whom has consented to serve, are:

NAME	OFFICE	ADDRESS	
Herbert Egerer, P.E.	President	P.O. Box 37980	Omaha, NE 68137
Joseph S. Ward, P.E., L.S	President-Elect	P.O. Box 1234	Montclair, NJ 07042
Loyal W. Murphy, III, P.E.	Senior Vice-President	5050 Poplar, Suite 1214	Memphis, TN 38157
Lindley Manning, P.E	Vice-President	P.O. Box 13392	Reno, NV 89507
Theodore D. Dziurman, P.E	Treasurer	34400 Glendale	Livonia, MI 48150
Marvin M. Specter, P.E., L.S	Secretary	174 Brady Avenue	Hawthorne, NY 10532
William A. Cox, Jr., P.E	Past-President	2309 Broad Bay Road	Virginia Beach, VA 23451
Paul E. Pritzker, P.E	Past-President	35 Hanna Street	Quincy, MA 02169

[Click to Return
to Application
Page 3](#)

Administrative Note to the **Articles of Incorporation** (not a part of the **AoI**): Chronology of Registered Agents of NAFE:

Registered agent from 1982 – 1998:

The name and address of the original District of Columbia incorporator is: William A. Cox, Jr., P.E., Past President, 2309 Broad Bay Road, Virginia Beach, Virginia 23451.

Registered Agent from 1998 to 2014:

Incorporated in the Commonwealth of Virginia January 13, 1998.

William A. Cox, III, Esq., 2433 North Landing Road, Princess Anne Courthouse, Virginia Beach, Virginia 23456.

Registered Agent from 2014 to present:

Arthur E. Schwartz, Esq., 1420 King Street, Alexandria, VA 22314-2794.

Revised July 18, 2015: Expanding NAFE membership engineering licensure requirements to include professional engineering licenses issued within the United States or Canada

Revised January 22, 2016: Paragraph “e” of AOI, editorial change from “United States Canada” to “United States or Canada”.

BYLAWS

ARTICLE I

NAME AND OFFICE AND DEFINITION

[Click to Return to Application Page 10](#)

Section 1. Name and Office

The name of this corporation shall be the NATIONAL ACADEMY OF FORENSIC ENGINEERS (hereinafter referred to as the "Academy"). The principal office shall be located at 1420 King Street, Alexandria, Virginia 22314-2794. The Academy is a chartered affinity group of the National Society of Professional Engineers and is classified as a not-for-profit organization by the Internal Revenue Service.

Section 2. Definition

Forensic Engineering is the application of the art and science of engineering in matters that are in, or may possibly relate to, the jurisprudence system, inclusive of alternative dispute resolution.

The terms "Board Certified" and "Board Certified Diplomate Forensic Engineer" as used within the Academy are NAFE credentials accredited by the CESB and afforded to NAFE Fellows, Senior Members and Members only. These credentials are not applicable to Associate Members, Correspondent Affiliates, International Affiliates or Student Affiliates.

ARTICLE II

OBJECTIVES

The purposes of the corporation are set forth in its Articles of Incorporation. The related objectives shall be:

- (a) To serve the public by advancing the skill and art of engineering analysis, investigation, consultation, and expert testimony in judicial and administrative proceedings which involve the use of engineering evidence, or the rendering of opinions based on engineering knowledge or judgment.
- (b) To establish criteria for and further the education of forensic engineers through formal studies, seminars, and publication of literature on the subject.
- (c) To engage in research and the publication of papers, books, and articles on the art and science of forensic engineering.
- (d) To elevate standards and the ethical concepts governing the practice of forensic engineering.
- (e) To cooperate with and assist other professions and organizations engaged in the administration of justice and resolution of disputes.
- (f) To certify individuals having acceptable experience in Forensic Engineering.

[Click to Return to Application Page 3](#)

ARTICLE III

MEMBERSHIP

Section 1. Admission to Membership

Candidates for admission to the Academy shall be reviewed by the Admissions Committee, and if found to meet the minimum qualifications, shall be admitted as a Member or Senior Member of the Academy (both of these membership grades being Board Certified Diplomate Forensic Engineers), or as an Associate Member (not Board Certified).

Upon attainment of the minimum qualifications, Associate Members may be elevated to Member, Members may be elevated to Senior Member, and Senior Members may be elevated to Fellow (see Article X. Section 2). The minimum qualifications to be met by new candidates and renewing members shall be set by the Board of Directors (hereinafter referred to as the "Board") and shall include at least the following:

(a) Members and Senior Members (Board Certified Diplomates)

- (1) Current Professional Engineering registration. Candidates shall provide validation satisfactory to the Admissions Committee. After acceptance into membership, a validation shall be supplied each year to the Treasurer incidental to membership renewal which demonstrates continuance of registration.
- (2) Current membership in the National Society of Professional Engineers and also in a national or international engineering technical society satisfactory to and in a grade acceptable to the Admissions Committee.
- (3) Total experience in engineering practice for Members of five years, and for Senior Members of twelve years.
- (4) Total experience in the practice of forensic engineering for Members of two years, and for Senior Members of five years.
- (5) Total experience in case preparation as a forensic engineer for Members of two cases, and for Senior Members of ten cases.
- (6) Total experience in court actually testifying and being cross examined as an engineering expert for Members of at least two cases, and for Senior Members of at least five cases. The Admissions Committee may at its discretion consider testimony under oath in arbitration, deposition, or administrative proceedings for credit toward fulfillment of this qualification requirement.
- (7) Recommendations indicating experience and qualifications satisfactory to the Admissions Committee for Members from two forensic professionals, and for Senior Members from three forensic professionals. Such forensic professionals may include lawyers, certified general adjusters, judges, claims managers, and members of the Academy in the same or a higher grade than that being applied for by the candidate. References must have firsthand knowledge of the forensic engineering practice and qualifications of the candidates.

Click to Return
to Application
Page 9

- (8) Members and Senior Members shall maintain Continuing Professional Development (CPD) credits commensurate with the current CPD Policy, which is attached to these Bylaws as Appendix 2.

(b) Fellows (Board Certified Diplomates)

- (1) Current Professional Engineering registration. Candidates shall provide validation satisfactory to the Admissions Committee. After election to the grade of Fellow, a validation shall be supplied each year to the Treasurer incidental to membership renewal which demonstrates continuance of registration.
- (2) Current membership in the National Society of Professional Engineers and also in a national or international engineering technical society, both of which being satisfactory and acceptable to the Admissions Committee.
- (3) A minimum of four years of membership in NAFE as a Member or Senior Member in good standing, and with prior participation in NAFE to include publication of a minimum of two NAFE Journal papers as well as active committee participation or other significant contributions to the Academy, as deemed acceptable to the Admissions Committee.
- (4) Total experience in engineering practice of twenty years.
- (5) Total experience in the practice of forensic engineering of fifteen years.
- (6) Total experience in case preparation as a forensic engineer of fifty cases.
- (7) Possess experience in court actually testifying as an engineering expert subject to cross examination for at least ten cases,
- (8) Recommendations indicating experience and qualifications satisfactory to the Admissions Committee from three current NAFE Fellows and one forensic professional. Such forensic professional may include lawyers, certified general adjusters, judges and claims managers. References must have firsthand knowledge of the forensic engineering practice and qualifications of the candidates.

Click to Return
to Application
Page 2

(c) Associate Members (not Board-Certified Diplomate Members)

- (1) Candidates shall provide validation satisfactory to the Admissions Committee showing either certification as an Engineer in Training / Engineering Intern (E.I.T. / E.I.), a PhD in engineering (or in a related science), or licensure (or equivalent) as a professional engineer. After acceptance into membership, for Associate Members licensed as a professional engineer or holding certification as an E.I.T. / E.I., validation shall be supplied each year to the Treasurer incidental to membership renewal which demonstrates continuance of registration.
- (2) Candidates shall have had experience in engineering practice of four years, including two years of forensic engineering practice.
- (3) Candidates shall have prepared at least two forensic engineering cases.
- (4) Candidates shall hold membership in the National Society of Professional Engineers and also in a national or international engineering technical society satisfactory to and in a grade

acceptable to the Admissions Committee.

- (5) Candidates shall have received recommendations indicating experience and qualifications satisfactory to the Admissions Committee from two forensic professionals. Such forensic professionals may include lawyers, certified general adjusters, judges, claims managers, and Members, Senior Members or Fellows of the Academy. References must have firsthand knowledge of the engineering practice and qualifications of the candidate.
- (6) Associate Members shall maintain Continuing Professional Development (CPD) credits commensurate with the current CPD Policy, which is attached to these Bylaws as Appendix 2.

Section 2. Fees and Dues

- (a) Application fees and annual dues and assessments shall be established by the Board. Annual dues for Academy members who are elected to membership during the year may be prorated in a manner as determined by the Board.

Dues Summary

Application Fee (nonrefundable)	\$125.00	
Upgrade Fee	125.00	
Annual Dues Grade	Standard	Life Status
Fellow	\$300.00	\$100.00
Senior Member	250.00	100.00
Member	200.00	100.00
Associate Member	200.00	100.00
International Affiliate	300.00	100.00
Correspondent Affiliate	100.00	N/A
Student Affiliate	25.00	N/A

Prorated dues apply to all grades: 1/1 to 3/31 Full Dues, 4/1 to 9/30 Half Dues, 10/1 to 12/31 Full Dues include following year.

- (b) For matters involving dues and CPD reporting, the President and Secretary may, at their joint discretion:
 - (1) Grant a petition to waive or reduce the CPD reporting and/or the dues of a member who is disabled or who has other hardship for a specified period and designate the time that full CPD reporting and/or dues will be resumed.
 - (2) Drop a member from the Academy rolls if payment of dues or a petition for waiver is not received by the summer meeting.

- (3) Grant a request for Life status dues.

Section 3. Life Status Members

- (a) Associate Members, Members, Senior Members, and Fellows of the Academy shall become eligible for Life Membership status if the person 1) has been a member of the Academy for a period of 10 years or is a charter member, 2) does not receive in fees or wages as a forensic engineer in any calendar year more than fifty (50) times the annual dues of NAFE payable by the member in accord with his grade of membership, and 3) is at least 70 years of age.
- (b) Life status Members shall receive all publications of the Academy and shall be invited to attend the Academy's seminars.

[Click to Return
to Application
Page 7](#)

ARTICLE IV **CORRESPONDENT AFFILIATES**

[Click to Return
to Application
Page 9](#)

Lawyers, claims personnel, and other persons having an interest in forensic engineering, including engineers who do not meet the qualifications for Academy membership may submit to be admitted to the Academy as a Correspondent Affiliate. Such candidates are required to complete an application as approved by the Board of Directors and are required to pay application fees similar to those paid by candidates for membership. Once accepted, Correspondent Affiliates may receive the Journals of the National Academy of Forensic Engineers (by electronic means), appropriate member notices and literature, and shall be invited to attend the Academy's seminars. Correspondent Affiliates may also be listed in the Academy's Directory. At the discretion of the Academy, their commentaries and other communications may be published by the Academy when appropriate and of interest. The Board shall establish the fees for Correspondent Affiliates. Correspondent Affiliates are not members and may not represent themselves as holding membership in the Academy.

ARTICLE V **INTERNATIONAL AFFILIATES**

[Click to Return to
Application Page 9](#)

Applicants who live outside of the countries admissible for NAFE membership and whose credentials are acceptable to the Admissions Committee, may be admitted to the Academy as International Affiliates. Such individuals may receive publications of the Academy and, at the discretion of the Academy, their commentaries and other communications may be published by the Academy when appropriate and of interest. The fees for International Affiliates shall be established by the Board. International Affiliates are not members and may not represent themselves as holding membership in the Academy.

ARTICLE VI

STUDENT AFFILIATES

Applicants who are engineering undergraduate or graduate students and are current student members of the National Society of Professional Engineers may submit to be admitted to the Academy as a Student Affiliate. Such candidates are required to complete an application as approved by the Board of Directors and are required to pay application-associated fees similar to those paid by candidates for membership. Once accepted, Student Affiliates may receive the Journals of the National Academy of Forensic Engineers (in electronic format only), receive appropriate member notices and literature, and shall be invited to attend the Academy's seminars. The fees for Student Affiliates shall be established by the Board. Student Affiliates are not members and may not represent themselves as holding membership in the Academy.

[Click to Return to
Application Page 9](#)

ARTICLE VII

MANAGEMENT AND OFFICERS

Section 1. Management

The management of the Academy, the control of its property and affairs, and the selection of the recipients who will benefit from the purposes and objectives of the Academy shall be vested in its Board. The Board Certified membership of the Academy shall constitute the voting membership and shall select the Officers.

Section 2. Election of Officers

The Board Certified members of the Academy shall elect from among its Senior Members and Fellows a President-Elect, a Senior Vice President, a Vice President, a Secretary, and a Treasurer. The President-Elect shall automatically succeed to the office of President the following year.

All voting for officers for contested positions shall be by written or electronic ballot on a form forwarded to the members of the Academy by the Secretary following the midyear semiannual meeting of the Board. The completed ballots, having proper means of identification, shall be returned to the Secretary within two months from the original date of mailing. The President will appoint Inspectors of Elections whose duties it shall be to inspect and pass upon all ballots. The announcement of the results of such elections shall be made at the annual meeting of the Academy, or at an earlier date by a mailing from the President.

Section 3. Term of Office

Each elected officer shall serve for one year and until his or her successor is elected and installed, except the President-Elect who shall subsequently serve as President.

Section 4. Honorary Members

The Board may, from time to time, appoint as honorary members, with such titles and designations as it shall select, persons who need not be members of the Academy. Their duties shall be as assigned by the Board but shall not be in conflict with the duties of regular officers of the Academy. Persons appointed as honorary members shall continue at the pleasure of the Board.

ARTICLE VIII **BOARD OF DIRECTORS**

Section 1. Membership of the Board

The Board shall consist of the President, the President-Elect, the Senior Vice President, the Vice President, the Secretary, the Treasurer, the three most recent Past Presidents who are available, and as many as two Directors-at-Large. A President who elects not to serve out his or her complete term shall not be deemed to be a Past President.

A Director-at-Large shall be a voting member of the Academy, and shall be nominated annually by petition only. A Director-at-Large may continue to serve for any number of one-year terms by annual petition and reelection by the membership. The nominating and voting procedure for Directors-at-Large shall be as established for officers under Articles VII and XI, except that the Nominating Committee may not include a candidate for Director-at-Large with its slate.

Section 2. Duties and Powers

The Board shall have the control and management of the affairs of the Academy and, in addition to the powers and authorities expressly conferred upon them through these Bylaws, may exercise all such powers and do all such acts and things as are by law provided and as are usually done by the Board of a membership corporation, including the right to establish committees and approve committee appointments, to allot to those committees such duties and powers as the Board may deem proper, to select the recipients who will benefit from the purposes and objectives of the Academy, and to set fees for application and admission, and to determine dues and assessments. The Board shall have final responsibility and authority for member discipline. The Board is vested with the authority to appoint an Executive Director or Executive Secretary and other officials.

ARTICLE IX
MEETINGS OF THE BOARD OF DIRECTORS AND THE GENERAL MEMBERSHIP

Section 1. Annual and Semiannual Meetings

There shall be two regular meetings of the Board of Directors and of the General Membership, one annual and one semiannual, each at a time and place determined by the Board.

Section 2. Special Meetings

Special meetings may be called at any time by the President. Special meetings may also be called by the Board upon filing with the Secretary of the Board a written request by at least three Directors. Such written request shall specify the purposes for which the meeting is requested, and no business other than that specified in such purposes may be transacted at such special meeting.

Section 3. Notice of Meeting

Notice of any meeting of the Board of Directors shall be mailed, emailed, electronically transmitted or telephoned to all Directors at least seven days before the date of such meeting. The notice shall set forth the place, date, time, and purposes of such meeting. The seven days notice may be waived by unanimous vote of those present when no less than three-quarters of the Directors are present in person. The general membership shall also be notified in a timely manner about such meetings via email and NAFE website posting, with instructions provided for observing the meeting.

Section 4. Quorum

At all regular and special meetings of the Board, the presence in person of not less than one-half of the Directors shall constitute a quorum.

Section 5. Voting at Board Meetings

At all meetings, votes shall be by voice vote unless the presiding officer, or at least one-half of the Directors present, request voting by written ballot.

Section 6. Vacancies

Vacancies on the Board, including elected Directors-at-Large, shall be filled for the balance of the unexpired term by vote of the majority of the Directors at any regular or special meeting. Voting to fill vacancies may also be by signed ballot mailed by Directors to the Secretary of the Academy.

Section 7. Expense Reimbursement

- (a) Subject to budget limitations, reimbursement to Directors to compensate for travel expenses incurred at regular or special meetings of the Board shall be paid by the Treasurer upon receipt of invoices from such Directors indicating:
 - (1) The least cost airfare with attached receipt.
 - (2) In lieu of travel by air, the cost of travel by private transportation at the IRS established rate for highway travel. The mileage cost shall not exceed the least-cost airfare.
- (b) Other expenses by Directors on behalf of the Academy may be reimbursed when properly documented and approved by the President, subject to budget limitations.

ARTICLE X **COMMITTEES**

Section 1. General

- (a) The committees shall be:
 - (1) The Admissions Committee
 - (2) The Nominating Committee
 - (3) Standing Committees
 - (4) Special Committees
- (b) With exception of the Nominating and Admissions Committees, the President shall have the prerogative to establish committee sizes.
- (c) With exception of the Nominating and Admissions Committees, the President shall have the prerogative to appoint non-Academy individuals to committees. Such non-Academy individuals may serve on such committees, but without committee vote.
- (d) Members, Senior Members and Fellows, when eligible and properly appointed, may serve on committees and vote. Associate Members and Correspondent Affiliates, when eligible and properly appointed may serve on committees without vote.

Section 2. Admissions Committee

- (a) The Admissions Committee shall be composed of the President-Elect who shall serve as Chairman and two Past-Presidents appointed by the President.

(b) The Admissions Committee shall carefully evaluate each application for membership or for change in membership grade against the standards established in the Bylaws, render decisions as to the candidate's acceptance, non-acceptance, or, in the case of Fellow, eligibility.

(c) Members, Senior Members and Associate Members

(1) Approval as a Senior Member shall require concurrence of two (2) members; and as Member or Associate Member, concurrence of one (1) member of the Committee.

(2) The Admissions Committee shall assign appropriate membership grades to those accepted or elevated and report their actions to the Secretary and the Treasurer. Applications for Member, Senior Member, and Associate Member can be acted upon or voted on throughout the calendar year.

(d) Fellows

(1) The Admissions Committee evaluates applications for eligibility for elevation to the grade of Fellow only during the month of April. Approval shall require concurrence of three (3) Committee members.

(2) The Admissions Committee can only determine eligibility and does not assign or confer the grade of Fellow. The Admissions Committee shall report its actions to the Secretary and the Treasurer. The grade of Fellow can be conferred only during the July meeting of NAFE following the Admissions Committee's approval of eligibility.

[Click to Return to Application Page 4](#)

[Return to Page 5](#)

[Return to Page 6](#)

[Return to Page 9](#)

[Return to Page 11](#)

Section 3. Nominating Committee

[Return to Page 12](#)

Each Nominating Committee shall serve for one year and shall consist of three members of the Academy appointed by the President. No officer of the Academy may serve on the Nominating Committee while holding office. The two most recent Past-Presidents who are available shall be members of the Committee with the most recent Past-President serving as Chairman of the Committee. In addition, an Academy member appointed by the President shall be a member of the Committee and serve as its Secretary. The Secretary shall keep regular minutes of the meeting proceedings and a copy of such minutes shall be filed with the Secretary of the Academy within at least ninety days prior to the semiannual meeting of the Academy.

Section 4. Standing Committees

Standing committees may be established by the Board which will define their functions, powers, and tenure. Members thereof shall be appointed by the President. A description of these Standing Committees is attached to these Bylaws as Appendix 1.

Section 5. Special Committees

Special Committees may be appointed by the President of the Academy to handle special matters, which come up from time to time.

Section 6. Expense Reimbursement

- (a) Under special circumstances, committee Chairmen and individual members of the Academy who are specifically invited by the President, in writing, to attend a meeting with travel costs reimbursed, shall also be reimbursed as outlined in Section 7 (a) of Article IX. A copy of the written authorization shall be submitted to the treasurer.
- (b) Other expenses by committee members on behalf of the Academy may be reimbursed when properly documented and approved by the President, subject to budget limitations.

ARTICLE XI **NOMINATING PROCEDURE**

Section 1. Normal Procedure

The Nominating Committee shall nominate a slate of persons recommended for election as officers of the Academy. The report of the Nominating Committee shall be made to the members at least sixty days prior to the midyear semiannual meeting of the Board. Additional nominations to be added to the slate submitted for vote of the members may be made by petition of at least ten voting members of the Academy. Such petition should be submitted to the Secretary of the Academy at least ten days prior to the semiannual meeting of the Academy. The Secretary shall certify to that meeting the election to office of the unopposed nominees.

Section 2. Special Conditions

The Board of Directors shall assure that there is at least one candidate for each elective office at the end of its midyear, semiannual meeting. If a candidate proposed by the Nominating Committee is unable to serve, and there is no nomination by petition, the Board shall nominate a willing candidate.

ARTICLE XII **DUTIES OF OFFICERS, MEMBERS, AGENTS, AND APPOINTEES**

Section 1. President

The President shall be Chief Executive Officer and the Chairman of the Board of the Academy and perform the duties usual to a president of a membership corporation. The President shall preside at meetings of the Board and at the meeting of the members of the Academy and shall be ex-officio a member of all committees except the Nominating Committee. He shall appoint the members of all committees. The President shall have power to sign all documents, contracts, and negotiable instruments as the designated agent of the Academy. He shall, however, obtain advanced approval from the Board of Directors for any expenditures exceeding \$3,000.00.

Section 2. President-Elect

The President-Elect shall automatically succeed the President, and act when necessary in the absence of the President.

Section 3. Vice Presidents

The Vice Presidents shall perform such duties and have such powers as may be delegated to them from time to time by the President or the Board. In the absence of the President and President-Elect, the Vice Presidents in order of seniority shall have the power and perform the duties of the President.

Section 4. Secretary

The Secretary shall keep a record of all proceedings of all meetings of the Board and the meetings of the members of the Academy, have the custody of all records and papers relating to the business of the Academy, prepare and issue all notices required to be given to the members, and shall otherwise exercise all duties incident to the office of Secretary.

Section 5. Treasurer

The Treasurer shall keep the accounts of the Academy and shall have the care and custody of all moneys belonging to the Academy, collect and receive all moneys payable to the Academy, keep proper books and records showing all receipts and expenditures, render semiannual reports in writing as to the financial condition of the Academy, and from time to time as may be requested by the Board, furnish such surety bond at the expense of the Academy, and otherwise exercise all duties incident to the office of Treasurer. The Board at any time may appoint an Assistant Treasurer to perform duties as assigned by the Treasurer.

Section 6. Executive Director or Executive Secretary

The Executive Director or Executive Secretary, if either one is appointed by the Board, may be given one or more of the duties and powers enumerated above as being the duties and powers of the Secretary, but the records of these individuals shall, at all times, be available to the Secretary. The Board is empowered to make a contract with the Executive Director or Executive Secretary for a period not exceeding three years for payment for services and for full travel and other authorized expenses subject to conditions the Board may deem fit and proper.

Section 7. Public Statements

No public statements stated or implied as representing the Academy shall be made without specific authority first obtained from the Board, except that the President may make appropriate public statements which are in accordance with existing Academy policy or which, in urgent situations not permitting contact with all Directors, have received the prior approval of a majority of the other Directors.

ARTICLE XIII
HOLDING MORE THAN ONE POST

Directors may serve on any number of committees.

Directors-at-Large may not simultaneously hold or be appointed to elective office.

ARTICLE XIV
TERMS OF SERVICE FOR OFFICERS

The Secretary and Treasurer may be reelected for any number of terms. Other officers may not serve again in their same office except as may be extended by the Board. A member of any committee may be reappointed for any number of terms.

ARTICLE XV
REMOVALS

Any Academy member may be reprimanded, suspended, or expelled and any member of any committee may be removed from office by the affirmative vote of two-thirds of the Directors at a special meeting of the Board called for the purpose of considering such action.

ARTICLE XVI
MEMBER DISCIPLINE

- (a) Charges of unethical conduct may be filed with the Ethics Committee by anyone. Such charges must be written, specific, detailed, and include reasonable supporting evidence.
- (b) The person charged shall be notified of the substance of the charges and shall be given opportunity to present a defense, including personal appearance with legal counsel, if desired, at his or her own expense, and to present pertinent witnesses and/or documents. The hearing shall be closed unless the person charged requests otherwise.
- (c) Resignation by a member or affiliate under charge shall not cause these proceedings to be terminated.
- (d) The Ethics Committee may dismiss the charges when it finds them unwarranted and shall notify the Board, the person charged, and the person who filed the charge of such action.
- (e) If the Ethics Committee finds that the member or affiliate violated ethics of forensic engineering practice, membership requirements, or otherwise acted so as to reflect discredit upon the Academy, the Committee shall recommend to the Board such penalty as it considers appropriate which may

be expulsion from the Academy, suspension of membership for a stated period of time, or reprimand.

- (f) Upon final disposition of a case, the Academy may, with approval of the Board, publish a summary report of the case in a publication of the Academy.

ARTICLE XVII

LIABILITY

The Academy will defend any suits or claims asserted against its officers, directors, committeemen, or staff, past or present, in connection with their authorized activities on behalf of the Academy, and will indemnify and hold harmless individuals so involved.

ARTICLE XVIII

MINUTES

Minutes of the meetings of the Board, minutes of meetings of the members of the Academy, and meetings of all other committees shall be prepared by the respective Secretary and filed with the Secretary of the Academy.

ARTICLE XIX

FUNDS AND EXPENDITURES

Section 1. Income and Expenditures

Funds for meeting the expenses of the Academy shall be raised by annual dues, assessments, voluntary contributions, and such income as may come to the Academy through the collective efforts of its members in accordance with IRS regulations. No financial obligations of the Academy may be incurred by anyone or any group of members, except upon the prior authorization of or allocation of funds by the Board. All disbursements shall be made by the Treasurer.

Section 2. Fiscal Year

The fiscal year of the Academy shall be from the first day of January to the thirty-first day of December of each and every year.

ARTICLE XX
SEAL

The seal of the Academy shall consist of the words NATIONAL ACADEMY OF FORENSIC ENGINEERS inscribed in a circle with the words "Corporate Seal, Commonwealth of Virginia" inscribed in the center of said circle. The design of the seal may be changed at any time by formal action of the Board.

ARTICLE XXI
AMENDMENTS

Section 1. General

- (a) These Bylaws and the Articles of Incorporation may be amended in the following manner: any proposal for amendment shall be in writing, subscribed to by not less than two Directors, and filed with the Secretary of the Academy. Consideration of such proposal shall be made at the next meeting of the Board.
- (b) A copy of the proposed amendment shall then be mailed, email or electronically transmitted to each Director by the Secretary of the Academy not less than twenty days and not more than forty days prior to the next Board meeting.

Section 2. Adoption of Amendments

- (a) A proposed amendment of the Bylaws shall be adopted by affirmative vote of at least two-thirds of the Directors:
 - 1. present at the meeting called to consider the adoption of the proposed amendment, or
 - 2. who have filed with the Secretary of the Academy signed affirmative consents.
- (b) A proposed amendment of the Articles of Incorporation, once adopted by the Board, shall be forwarded to the voting members of the Academy. Voting members at the next meeting of the general membership shall be polled. An affirmative vote of two-thirds of the voting members at a meeting is required to finally adopt a proposed amendment. For the purposes of amendment of the Articles of Incorporation of NAFE, or such other action as shall be binding on the Academy requiring voting by voting members, a quorum for such purposes at any meeting shall be thirty (30) voting members.

Section 3. Distribution to Members

A copy of any adopted amendment shall be mailed or emailed or electronically transmitted to each member. At his discretion, the Secretary may forward to each member a complete revised set of Bylaws.

Revised July 25, 2008	(Increase Fees and Dues)
Revised January 10, 2015:	(General up-dating, including incorporating changes to membership structure)
Revised July 17, 2015:	(Changes to <u>Bylaws</u> : Restructuring of Article III and Article X relating to membership structure)
Revised July 18, 2015:	(Change to <u>Articles of Incorporation</u> : Expanding NAFE membership engineering licensure requirements to include professional engineering licenses issued within the United States or Canada)
Revised January 22, 2016:	Article V of Bylaws, refinement of definition of Foreign Affiliate to be consistent with members from Canada.
Revised March 14, 2016:	Article III Section 1 (b)(3) redefining qualifications for Fellow grade level

NAFE
Bylaws Appendices
March 14, 2016

NATIONAL ACADEMY OF FORENSIC ENGINEERS

Current Copies of:

**APPENDIX 1 to the NAFE BYLAWS,
Functions, Powers and Tenure of Committees**

**APPENDIX 2 to the NAFE BYLAWS,
Continuing Professional Development (CPD) Procedures**

**APPENDIX 3 to the NAFE BYLAWS,
Handbook of Policies and Procedures**

NATIONAL ACADEMY OF FORENSIC ENGINEERS

CONTENTS

APPENDIX 1 OF BYLAWS

FUNCTIONS, POWERS AND TENURE OF COMMITTEES

(Page 10-4)

APPENDIX 2 OF BYLAWS

CONTINUING PROFESSIONAL DEVELOPMENT (CPD) PROCEDURES

(Page 10-7)

APPENDIX 3 OF BYLAWS

NAFE HANDBOOK of POLICIES and PROCEDURES

(Page 10-9)

Administrative Policies/Procedures (AP): (Page 10-10)

- AP 1 CRITERIA AND PROCESS FOR READMISSION OF MEMBERS WHO PREVIOUSLY
RESIGNED FROM NAFE OR HAD BEEN DROPPED
- AP 2A PROCEDURE FOR COUNTING OF BALLOTS & ELECTRONIC INTERNET
BALLOTING
- AP 3B PROMPT PAYMENT OF DUES
- AP 4 ADDRESSES OF MEMBERS
- AP 5 CONTINUANCE OF PE AND SOCIETAL CREDENTIALS
- AP 6D EXPENSE REIMBURSEMENT
- AP 7 CPD STATUS OF MEMBERS
- AP 8 DISTRIBUTION OF MEMBER LISTS
- AP 9 NAFE LIFE STATUS PROCEDURES
- AP 10A PENDING APPLICATIONS FOR ADMISSION TO THE NAFE
- AP 11D REFUND POLICY FOR MEETINGS AND SEMINARS
- AP 12 CRITERIA FOR PUBLISHING AND MAINTAINING MATERIAL OF THE NATIONAL
ACADEMY OF FORENSIC ENGINEERS (NAFE) WEBSITE (www.nafe.org)

NATIONAL ACADEMY OF FORENSIC ENGINEERS

- AP 13 CONTROL OF CASH RECEIPTS AND CASH DISBURSEMENTS, INCLUDING APPROVALS FOR EXPENDITURE OF FUNDS FOR REIMBURSEMENT REQUESTS, PAYMENTS OF INVOICES, AND PURCHASES OF CAPITAL EQUIPMENT.
- AP 14 GUIDELINES FOR USE OF THE NAFE LOGO AND NAFE INSIGNIA

Operating Policies/Procedures (OP): (Page 10-16)

- OP 1 MEDIATION OF MEMBER DISPUTES
- OP 2 REVIEW OF POLICIES
- OP 3 PUBLIC STATEMENTS
- OP 4 CO-SPONSORSHIP OR ENDORSEMENT OF ACTIVITIES OR PRODUCTS
- OP 5 OPEN MEETINGS
- OP 6C NAFE JOURNAL AND SEMINARS
- OP 7 VERIFICATION OF MEMBER STATUS
- OP 9 SUPPORT OF OTHER PROFESSIONAL AND TECHNICAL ORGANIZATIONS
- OP 10 NAFE POLICY ON USE OF TITLES
- OP 11D PROCEDURES GOVERNING THE NAFE EMAIL GROUP
- OP 12 ENGINEERS WITHOUT BORDERS
- OP 13 PARTICIPATION IN NAFE SEMINARS
- OP 14C NAFE JOURNAL: RESPONSIBILITIES OF, OBLIGATIONS OF AND GUIDELINES FOR AUTHORS, THE JOURNAL EDITOR, TECHNICAL REVIEW COMMITTEE CHAIR, AND TECHNICAL REVIEWERS
- JOURNAL EDITOR JOB DESCRIPTION
- JOURNAL CONTENT

Professional Policies/Procedures (PP): (Page 10-23)

- PP 1A PROCEDURES FOR THE NATIONAL ACADEMY OF ENGINEERS' PROCESSING OF VIOLATIONS TO THE CODE OF ETHICS
- PP 2 THE NATIONAL ACADEMY OF FORENSIC ENGINEERS' POSITION ON PUBLISHING CODES, REGULATIONS, OR STANDARDS

NATIONAL ACADEMY OF FORENSIC ENGINEERS

APPENDIX 1

FUNCTIONS, POWERS AND TENURE OF COMMITTEES

(Established by the Board of Directors under Bylaws Article X)

STANDING COMMITTEES

1. Ethics Committee

- (a) The Ethics Committee shall conduct and maintain a review of the codes of ethics of NSPE and the national engineering technical societies from the viewpoint of forensic practice.
- (b) The Ethics Committee shall make appropriate reports and recommendations to the Board for additional standards of practice to supplement and interpret those codes as they may apply to (1) the practice of forensic engineering and (2) the Professional Policies applicable to the procedures of NAFE.
- (c) The Ethics Committee shall receive and consider any complaints and charges alleging unethical practice of members and take appropriate action in accord with NAFE Policy.
- (d) The Ethics Committee shall be chaired by a Director of the Academy. A Deputy Chair, if appointed, shall be a Director of the Academy.
- (e) No more than three Directors shall serve on the Ethics Committee at one time, except that an Ethics Committee member may be appointed to fill a vacant Director Position.

2. Public Relations Committee

- (a) The Public Relations Committee shall build and maintain a mailing list of major national and regional level organizations and publications which may reasonably be expected to have an interest in the Academy, its activities, or its publications, or with which the Academy and its members share substantial interests and concerns. The Committee shall prepare timely news releases about the Academy and its programs, initiate liaison contacts for the exchange of information and, with the approval of the President, direct information about the Academy to selected and appropriate addressees.
- (b) The Committee shall encourage the members of the Academy to file brief biographical sketches with the names, attention lines, and addresses of their principal local news media and such magazines as could be expected to use news releases about Academy activities and offices of the members. The Committee shall make appropriate news releases employing such data as opportunities may arise.
- (c) The Committee shall strive to promote other efforts to bring the Academy to the attention of those who may utilize the services offered by Academy members, as well as to other interested parties and organizations.
- (d) The Committee shall report its activities to the Board, making recommendations when appropriate.

3. Insurance Committee

- (a) The Insurance Committee shall investigate and monitor the availability, coverage, and premium cost for liability insurance to satisfy the requirements of Bylaws Article XVII and shall make recommendations to the Board of such insurance coverage.

NATIONAL ACADEMY OF FORENSIC ENGINEERS

(b) The Committee shall investigate and monitor the availability, coverage, and premium cost to provide Academy members professional liability insurance coverage, specifically with respect to their practice for forensic engineering and shall make recommendations to the Board for their consideration.

4. Contract Documents Committee

The Contract Documents Committee shall draft and periodically update a model contract document or a series of contract documents which would be suitable for use by forensic engineers in the rendering of professional services.

5. Audit Committee

Upon appointment by the President, the Audit Committee shall review the accounts of the Academy and shall issue a report to the Board within ninety days from the end of the fiscal year of the Academy.

The Audit Committee shall arrange for an independent review of the accounts periodically, as directed by the Board.

6. Publications Committee

(a) At the direction of the President or Board of Directors, the Publications Committee will review the discipline and specialty categories as contained in the then current directory and will recommend to the Board of Directors suggestions for modifications. The Committee, when requested, will also furnish the Board with recommendations for typography, printing, binding and estimated costs for the subsequent editions of the directory.

(b) At the direction of the President or Board of Directors, the Committee will make recommendations for the revision of the NAFE brochure and present them to the Board of Directors.

(c) The Publications Committee shall advise concerning the publications of the Academy.

7. Education Committee

The purpose of the Education Committee is to gather information on seminars and conferences in forensic engineering, to gather information on college courses in forensic engineering, and to prepare a model course and materials that could be used by college professors to teach such courses.

(b) The Committee shall each year contact all members of NAFE to receive information on forensic engineering educational activities in their geographical area and in the USA. The objective is to gather programs and course outlines.

(c) The Committee will maintain contact with the American Society for Engineering Education (ASEE).

(d) Through the Inter/Intra Professional Liaison Committee, the Education Committee will maintain contact with the forensic engineering sections of other professional engineering societies relative to education activities.

(e) The Committee will assist in planning the NAFE semi-annual meetings and seminars.

8. Legislative Committee

The Legislative Committee will monitor any possible federal or state legislation that may have an effect on the practice of forensic engineers, will maintain liaison with the NSPE Legislative Committee

NATIONAL ACADEMY OF FORENSIC ENGINEERS

and the NSPE General Counsel, and will report their findings and request recommended actions to the Board of Directors.

9. Long Range Planning Committee

The Long Range Planning Committee will consist of at least three members. The Committee will prepare a long range plan and develop strategies to achieve this plan for submission to the Board of Directors. The Committee will also prepare short range (annual) plans and will monitor their effectiveness for reporting to the Board of Directors. All such plans will project the future posture of the Academy, including financial planning.

10. Continuing Professional Development Committee

(a) The Continuing Professional Development (CPD) Committee shall implement and monitor the CPD procedures initially adopted by the Board of Directors in 1993, added as Appendix 2 in 1994, and as modified.

(b) The CPD Committee shall distribute record keeping forms to the membership within a reasonable time prior to the annual reporting deadline stated in Appendix 2.

(c) The CPD Committee shall receive record and analyze CPD data supplied by the membership, and advise each member of the results of the analysis within the deadline stated in Appendix 2.

11. Bylaw-AoI (Articles of Incorporation) Committee

(a) The Bylaw-AoI Committee shall review minutes of Board and Membership meetings, and receive comments and recommendations from the membership regarding perceived need for changes to the Articles of Incorporation (AoI) and Bylaws of the Academy.

(b) The Bylaw-AoI Committee shall propose recommended changes to the AoI and Bylaws for action by the Board of Directors.

(c) The Secretary of the Academy shall serve as Ex-officio member of the Bylaw-AoI Committee, and shall maintain a record of current text.

12. Finance Committee

(a) The finance Committee shall analyze the projected income and expenses of the Academy and recommend an operating budget to the Board of Directors for approval for each fiscal year.

(b) The Senior Vice President shall chair the Committee with the President Elect, Vice-President, Treasurer, and Secretary as members.

(c) The Treasurer shall provide to the Finance Committee the check register two weeks prior the semi-annual meetings. The check register shall be sorted by; (1) payee; and (2) sorted by account then by payee.

History

Revised 7/27/98

Article 12 added January 16, 2009.

Article 12 Revised January 18, 2013

NATIONAL ACADEMY OF FORENSIC ENGINEERS

APPENDIX 2

NAFE CONTINUING PROFESSIONAL DEVELOPMENT (CPD) PROCEDURES

1. Members, Senior Members and Fellows, excepting those who are retired or are exempt for reasons of hardship, shall maintain Continuing Professional Development (CPD) credits with the National Academy of Forensic Engineers (NAFE) as evidence of currency and competence for professional practice. CPD credits may be accrued from Academic Credits (AC), Contact Credits (CC), Practice Credits (PC), Self-Study Credits (SC), Community Volunteer Credits (CV), or any combination thereof.

2. CPD Credit Accounts shall be tallied as of December 31st of each calendar year. Earned credits shall be added for that year. An initial submission showing credits earned in the previous five years shall be made to the Academy at the onset of this program and for the previous five years by new members at the time of entry.

3. A Member, Senior Member or Fellow having a credit balance of 100 credits tallied from the previous five years shall be deemed as a member in good standing of the NAFE (subject to timely payment of dues or assessments) and thereby certified as a Diplomate in Forensic Engineering for the subsequent three years. Retirement status is defined as being limited by the receipt of fees or wages as a forensic engineer in any calendar year to a maximum of fifty times the annual dues of NAFE payable by the member in accord with his grade of membership.

4. Members, Senior Members and Fellows who do not meet the CPD requirements and who are not excepted as stated above may continue as members (subject to timely payment of dues or assessments) for no more than 12 months and then shall be automatically severed from membership status and certification previously attained. However, they shall not be precluded from transfer to a non-member, non-certified status as an affiliate ("Correspondent") of NAFE. Readmission to full membership and certification may be attained upon submission of satisfactory CPD credits to a positive status.

5. On or before January 7 of each year, each Member, Senior Member or Fellow shall submit a tally listing, in the form prescribed by NAFE, the CPD credits earned during the previous year. The President shall appoint a Continuing Professional Development Committee which shall review the submissions and advise the members on or before April 7 of any credits disallowed and of the acceptance of credits found satisfactory. Appeal may be made to the President-Elect within 60 days of any credits disallowed. The determination of the President-Elect shall be final.

Adopted 7/12/94, Rev. 1/19/02

NATIONAL ACADEMY OF FORENSIC ENGINEERS

CPD CREDITS:

Academic Credits (AC) - Maximum 45 Credits per Year

In accord with guidelines of the National Council of Engineering Examiners:

College or unit semester hour	45 credits
College or unit quarter hour	30 credits
Continuing Education (per contact hour)	1 credit

(For teaching any of the above, double the credits, provided however that such teaching is not in the regular course of employment).

Authoring of published papers or articles on engineering subject matter	10 credits each
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Contact Credits (CC) - Maximum 3 Credits per Year

Organizational contact with other practicing engineers is deemed by NAFE to be informative and beneficial to currency of competence.

Membership in national engineering organizations (including NAFE)	1 credit each
Committee membership (including NAFE)	1 credit each
Officer, Director or Committee Chairman positions (including NAFE)	1 credit each

Practice Credits (PC) - Maximum 15 Credits per Year

Forensic Engineering - one credit for each ten percent of total engineering practice up to fifty percent maximum.	1 to 5 credits
Cases prepared	1 credit each
Depositions (under oath)	1 credit each
Trial testimony (subject to adversary cross examination)	2 credits each
Patents	5 credits each

Self-Study Credits (SC) - Maximum 15 Credits Per Year

Limited to engineering publications, including periodicals and scientific publications.	0.1 credit per study hour
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Community Volunteer Credits (CV) - Maximum 2 per year

Community volunteer utilizing engineering expertise.	1 credit
Community volunteer not utilizing engineering expertise	1 credit

[Click to Return to Application Page 13](#)

[Click to Return to Application Page 14](#)

NATIONAL ACADEMY OF FORENSIC ENGINEERS

APPENDIX 3

A NAFE Policy and Procedure For NAFE Policies and Procedures

I. The National Academy of Forensic Engineers (NAFE) is formally affiliated with the National Society of Professional Engineers (NSPE) as a "Chartered Affinity Group of NSPE." All Members, Senior Members and Fellows of NAFE are required to be members of NSPE (in addition to other membership requirements) and are therefore bound by the NSPE Code of Ethics as it exists and as it may be further amended by NSPE.

II. In addition to its Code of Ethics, the NSPE has a Constitution and Bylaws, and the NAFE has its Articles of Incorporation and Bylaws, each of which govern the activities of these two separately incorporated membership organizations. The NSPE also has three sets of policies* as follows:

NSPE Professional Policies adopted by the NSPE Board of Directors which "consist of statements of policy, statements of Philosophy and statements of opinion that provide the position of NSPE in matters of importance before Congress and Federal agencies . . . [and] in matters pertaining to the relationships of the [PE] Society and professional engineers with the public, industry, organizations and to the conduct of professional engineers."

NSPE Operating Procedures "adopted by the NSPE Board of Directors to provide binding operational controls considered necessary as a supplement to or amplification of the NSPE Constitution and Bylaws." (emphasis added)

NSPE Administration Policies "adopted by the NSPE Board of Directors to express philosophies of administration for the guidance of national officers, state societies, chapter officers and members." (emphasis added)

III. The NAFE, having need of supplemental guiding statements, will from time to time, by action of the NAFE Board of Directors, adopt Professional Policies (NAFE PP's), Operating Procedures (NAFE OP's) and Administrative Policies (NAFE AP's) following a similar process to NSPE, but in each instance, addressed to the matters of substance which especially concern the NAFE and its members. The NAFE considers the NSPE statements to be of guidance and substantial interest to NAFE as an organization and recognizes they may govern NAFE members in their official roles within NSPE, but does not mandate the NSPE statements upon the organizational activities of NAFE. The statements adopted as NAFE PP's, OP's or AP's will so govern the activities within NAFE to the extent indicated within each statement.

* NSPE Policies and Procedures - NSPE Publication # 1504

History: Drafted 6/24/94 by Marvin M. Specter, P.E., L.S. and reviewed by Policy and Procedures Committee; Adopted 7/12/94 by BOD.

NATIONAL ACADEMY OF FORENSIC ENGINEERS

NAFE AP No. 1

CRITERIA AND PROCESS FOR READMISSION OF MEMBERS WHO PREVIOUSLY RESIGNED FROM NAFE OR HAD BEEN DROPPED

1. Must have left in good standing.
2. Must have no unresolved NAFE ethics complaints.
3. Submission to be made of information as to engineering practice since leaving NAFE.
4. Must be recommended by at least one current member of NAFE of equal or higher grade.
5. Review and acceptance to be made by the NAFE Admissions Committee.
6. Payment to be made of current dues.

7. New membership number will be assigned unless the member being admitted chooses to also pay the dues omitted during the time of non-membership. Determination of eligibility for Life Member status shall be based on actual years of dues paid.

History: Drafted 8/19/93 by M. M. Specter, P.E., L.S., and reviewed by Paul E. Pritzker, P.E., Irving Hazard, P.E. and Robert W. Witter, P.E. Further revised by Specter 12/20/94; Adopted 1/17/95 by BOD.

NAFE AP No. 2A PROCEDURE FOR COUNTING OF BALLOTS

Where election balloting is required, the following procedures shall be followed:

1. Check each envelope for the postmark to insure all have been received within the time frame set. Count the total ballots received.
2. Open the outer envelopes and lay the outer envelopes to one side and the inner envelopes to the other side.
3. Count the outer and the inner envelopes to see that they come out even and agree with your total count. Lay the outer envelopes to one side and place a rubber band around them.
4. Check the inner envelopes for members' signature. (any that are not signed set to one side).
5. Open the inner envelopes and lay the inner envelopes to one side and the ballots to the other side. Shuffle the ballots so that they are not in the same order as the inner envelopes. (This insures the secret ballot requirement).

NATIONAL ACADEMY OF FORENSIC ENGINEERS

6. Count the inner envelopes and the ballots to see that they come out even. Lay the inner envelopes to one side and place a rubber band around them.

7. Open up the ballots.

8. Each inspector should have a sheet with the names of the candidates listed thereon.

9. Take turns calling out the vote and each keep count as a check to make sure the count is recorded correctly.

10. Ballots having marks for both candidates in a contest for the same position shall not be tallied for that position.

11. Unsigned ballot envelopes shall remain sealed, and their ballots shall not be counted.

12. If the vote does not tally to the total ballots received (minus any unsigned envelopes or uncounted votes as indicated above), or if the Inspectors are not in agreement as to the vote count, a full recount shall be made until the vote total for each candidate agrees for each inspector.

13. Ballots shall be held for one year from the day of certification by the tellers and then destroyed.

When authorized by the BOD, balloting may be done by electronic Internet procedure.

History: Drafted 10/12/94 by E. Joyce Dixon, Ex. Dir.; Adopted 1/17/95 by BOD.

Revision 2A proposed by Michael Kravitz P.E.; Adopted by BOD: July 19, 2013.

NAFE AP No. 3B **PROMPT PAYMENT OF DUES**

Members and affiliates are encouraged to make prompt payment of dues upon receipt of billing. When payment is not received within thirty days of the mailing date of a second billing, the member or affiliate shall be considered as in probationary status until dropped from the rolls or until restored to full current status by payment of dues or by waiver thereof. (Refer to Bylaw III, Section 2).

October 15: Dues statements mailed for following year's dues.

December 15: Second notice statements mailed.

January 15: Members with unpaid dues and no request for waiver shall be considered as in Probationary Status. A late fee of \$50 will be assessed for payments postmarked after January 15.

No public acknowledgment of membership will be made by the Academy for any member on probation. Members on probation shall not be listed in the NAFE Directory, the Journal nor any other publication of the Academy.

Any member or affiliate whose check is returned for insufficient funds, closed account, or stopped payment shall pay an additional fee to cover costs of the bank charges for return processing.

NATIONAL ACADEMY OF FORENSIC ENGINEERS

Any member or affiliate who is on probationary status is not eligible to attend any seminars at the 'Member' rate, but must pay the 'Guest' rate, unless a check is provided at the seminar to cover the unpaid dues and late fees.

History: Drafted 6/25/95 by M. M. Specter, P.E., L.S.; Adopted 7/25/95 by BOD.
Time table proposed by Bylaw Committee 7/29/98; Adopted by BOD as AP3A
Paragraphs on insufficient funds and probationary status proposed by Treasurer C. P. Reynolds, P.E. on June 20, 2005; Adopted by BOD: July 9, 2005.
Provision for \$50 late fee drafted by C. P. Reynolds, P.E., Treasurer, and E. R. Curtis, P.E., Secretary, on January 5, 2007; Adopted by BOD: January 5, 2007.

NAFE AP No. 4 **ADDRESSES OF MEMBERS**

In order to achieve the most effective communications with and between members and affiliates of the Academy, all changes in address, telephone, FAX, e-mail, etc. shall be promptly furnished to the Executive Director in writing who will maintain records of same. Where the primary postal address is to a post office box, a street address shall also be furnished, thus allowing for delivery by private parcel services (who do not deliver to U.S. Postal Service boxes).

History: Drafted 6/25/95 by M. M. Specter, P.E., L.S. and E. Joyce Dixon, Executive Director;
Adopted 7/25/95 by BOD.

NAFE AP No. 5 **CONTINUANCE OF PE AND SOCIETAL CREDENTIALS**

The NAFE requires of its members that they be licensed as a professional engineer and be a member of NSPE and an ETS (national engineering technical society, such as ASCE, ASME, IEEE, etc.) in an appropriate grade. The Treasurer may provide a form for certification by the members of their currency in the above.

Members in arrears in such submission for more than one year shall be deemed as no longer in good standing. Life members or other members whose dues are waived may be exempted from the above requirements if a hardship is imposed, subject to approval of the President and the Secretary of the Academy.

History: Drafted 6/25/95 by Marvin M. Specter, P.E., L.S.; Adopted 7/25/95 by BOD.

NAFE AP No. 6C **EXPENSE REIMBURSEMENT**

Subject to budget limitations, the following expenses incurred on behalf of the Academy may be reimbursed by the Treasurer to Directors, committee members, and members when properly documented and approved:

1. Directors will be reimbursed, upon written request, for travel expenses incurred to attend

NATIONAL ACADEMY OF FORENSIC ENGINEERS

regular and special meetings of the Board. Travel reimbursement shall not exceed the 7-day advance round-trip coach airfare. The reimbursement may include mileage to and from the airport, and round-trip surface transportation from the destination airport to the destination hotel. Mileage will be reimbursed at the IRS established rate for business miles. An Expense Reimbursement form is available from the NAFE Treasurer. Receipts should be attached documenting all expenses when submitting the form for payment.

2. A Director's round-trip travel by highway to and from a regular or special meeting of the Board will be reimbursed at the IRS established rate for business miles. The mileage reimbursement shall not exceed the air-travel rate allowed in section 1 above.

3. Under special circumstances, the Board of Directors may establish a different reimbursement rate for specific meetings.

4. Under special circumstances, committee chairmen and individual members of the Academy, or guests, who are specifically invited by the President, in writing, to attend a meeting with travel costs reimbursed, will be reimbursed as outlined in sections 1, 2 and 3 above. A copy of the written authorization shall be submitted to the Treasurer.

5. Other out-of-pocket expenses incurred by Director and committee members on behalf of the Academy may be reimbursed as follows:

Postage charges: Actual expenses incurred

Photocopy charges: 10 cents/page or actual expenses incurred

Long-distance phone charges: Actual expenses incurred

Office supplies: Actual expenses incurred

Outgoing Faxes: Long-distance phone charges only

Incoming Faxes: Same as photocopy charges

Printing and Office Supplies: Actual expenses incurred Actual expenses incurred for office equipment, software, furnishings, and similar items, when approved in advance by the Board of Directors.

6. Meals, tips, parking, usage of personal computers, office equipment of a Director or committee member and similar expenses are not reimbursable unless approved in advance by the Board of Directors.

7. For bookkeeping reasons, all reimbursement requests must be made within ninety (90) days of the expense being incurred. If a reimbursement request is made later than ninety days, a 10% "late request" penalty will be deducted from the reimbursement. Requests for reimbursement submitted later than 180 days after the expense is incurred will not be paid.

8. An un-budgeted or significantly over-budget request will not be paid unless authorized by the Expense Control (Finance) Committee or the Board of Directors.

History:

Drafted 2/14/95 by Robert L. Bleyl, Ph.D., P.E. and reviewed by the Expense Control Committee; Adopted 7/25/95 by BOD.

Revision A drafted by Treasurer Charles Pl Reynolds, P.E.; Adopted by the BOD: 7/27/2007

NATIONAL ACADEMY OF FORENSIC ENGINEERS

to take effect retroactively on 1/1/2007.

Revision B drafted by Treasurer Charles P. Reynolds, P.E.; Adopted by BOD: 7/25/2008.

Revision C drafted by Smith Reed, P.E.; Adopted by BOD: 1/16/2009.

NAFE AP No. 7 **CPD STATUS OF MEMBERS**

Members, Senior Members, and Fellows of NAFE, excepting those who are Life Members and Members on Waiver, are required to maintain currency of professional development and to provide information of same to the Academy. Since recertification of Continuing Professional Development (CPD) is made for three year periods, there is ample opportunity for routine submittal of information. Annual submission is encouraged and facilitates maintenance of current CPD status.

Those who are not current shall be considered as on probation until currency is reestablished. Members on probation shall not be listed in the NAFE Directory, the Journal, nor any other publication of the Academy, and after twelve months on probation, are subject to severance from membership or transfer to a nonmember, non-certified status (see Bylaws, Appendix 2).

History: Drafted 7/23/95 by Marvin M. Specter, P.E., L.S.; Adopted 7/25/95 by B.O.D.

NAFE AP No. 8 **DISTRIBUTION OF MEMBER LISTS**

The Directory of the NAFE as published is the primary source to NAFE members and to the public of the membership lists of the Academy. Officers, committee chairmen or other members acting on NAFE business may have access to current data lists of members for Academy purposes between publications of the Directory. Distribution of such shall be at the direction of the President. Candidates for contested NAFE offices, by written request to the Executive Director, shall receive a copy of the current NAFE member list.

History: Drafted 12/22/95 by Marvin M. Specter, P.E., L.S.; Adopted 1/23/96 by BOD.
Revised January 18, 2013 by BOD.

NAFE AP No. 9 **NAFE LIFE STATUS PROCEDURES**

Life status shall be granted upon request of a member in good standing for the year in which the member meets the qualifications stated in Bylaw Article III, Section 3(a). Such request shall include information specific to the requirements of said Bylaw. Determination of approval shall be made at the joint discretion of the Secretary and President. If so approved, dues billing for the entire calendar year for that member shall be at the Life Status dues rate for that year established by the Board of Directors.

History: Adopted 7/18/97 by BOD

NATIONAL ACADEMY OF FORENSIC ENGINEERS

NAFE AP No. 10A

PENDING APPLICATIONS FOR ADMISSION TO THE NAFE

1. Applicants applying for admission into the National Academy of Forensic Engineers (NAFE) shall have three (3) years from the date stamp imprinted on the application in which to complete and submit their application. During the period of time, the applicant's application is pending, the applicant is not authorized to use or imply that his/her application for admission into the NAFE is pending, nor is the applicant authorized to use the name of the National Academy of Forensic Engineers or the acronym "NAFE" in any documentation. The use of the words National Academy of Forensic Engineers or the acronym NAFE is reserved for the exclusive use of members of the Academy in good standing.

2. Applicants denied admission may appeal in writing within 60 calendar days of denial. The academy President shall make final determination and notify the applicant within 60 days of the receipt of the appeal.

[Click to Return to
Application Page 12](#)

History:

Drafted 07/30/2000 by Michael Kravitz, P.E.; Adopted by BOD: 07/30/2000

Paragraph 2 drafted 12/15/06 by M.M. Specter, P.E., L.S., F.NSPE & Michael Kravitz P.E.;
Adopted by BOD: January 5, 2007.

NAFE AP No. 11D

REFUND POLICY FOR MEETINGS AND SEMINARS

Subject to approval by the President, exceptions shall be made for circumstances of medical necessity, Force Majeure, or for other circumstances not subject to the control of the member, such as transportation failures. Denials may be appealed and subject to a majority decision of the President, Senior Vice-President, and Treasurer.

History: Drafted 6/21/02 by M. M. Specter, P.E., L.S. Adopted by BOD: July 14, 2002
Rev. A drafted 12/15/06 by M.M. Specter, P.E., LS, F.NSPE, adopted by BOD: 1/5/2007.
Rev. B drafted by Leslie N. Wilder, P.E., adopted by BOD: 7/1/2008.
Rev. C drafted by E. Ross Curtis, P.E., adopted by BOD: 7/17/2009.
Rev. D Revised by Bylaws Committee, adopted by BOD: 01/18/2013

NATIONAL ACADEMY OF FORENSIC ENGINEERS

NAFE AP No. 12A

CRITERIA FOR PUBLISHING AND MAINTAINING MATERIAL ON THE NATIONAL ACADEMY OF FORENSIC ENGINEERS (NAFE) WEBSITE

(www.nafe.org)

1. The NAFE website may be used to provide educational information that advances the art and science of forensic engineering as it pertains to the legal and engineering communities.
2. The website of NAFE may be used to provide information regarding other non-profit organizations for educational purposes.
3. The website of the NAFE shall not be used for commercial purposes including, but not limited to, the following: Sales or recommendations of products or services from NAFE members, affiliates or correspondents or outside persons or companies.
4. The names and contact information of the Executive Director of the NAFE shall be published on the website. The names of the current Board of Directors and Past Presidents may be published on the website without contact information. The seminar presenter names may be published in association with NAFE seminars. The journal article authors' names may be published in association with journal article listings. All other members, affiliates and correspondents of the NAFE shall not have their names and contact information published on the website.
5. A procedure shall be written regarding the steps necessary to add and update the text content, downloadable forms, and associated images on the website. This procedure will be issued to the members of the website committee. This procedure shall include login location, login accounts and passwords, posting guidelines, and software necessary to make the aforementioned changes. The website committee will be responsible for creating and updating this procedure.
6. The password, domain name and re-registering information shall be shared between the Website Committee Chairperson and two other members of the committee as well as the Executive Director. A CD of the website files shall be kept on file with the Executive Director and updated at least once per year.

History:

Drafted 07/23/2004 by Michael Kravitz, P.E. Adopted by BOD: 1/15/2005.

First paragraph amended by BOD: 7/9/2006 (added "of").

Rev. A drafted by Michael Kravitz, PE and Marvin M. Specter, P.E., L.S. amended by Richard M. Ziernicki, Ph.D., P.E., and adopted by the BOD: 1/16/2009.

Rev. Section 5 by Bylaws Committee, 12/18/2013

NATIONAL ACADEMY OF FORENSIC ENGINEERS

NAFE AP No. 13

**CONTROL OF CASH RECEIPTS AND CASH DISBURSEMENTS, INCLUDING APPROVALS
FOR EXPENDITURE OF FUNDS FOR REIMBURSEMENTS REQUESTS, PAYMENT OF
INVOICES, AND PURCHASES OF CAPITAL EQUIPMENT.**

1. All revenue received should be forwarded to the Treasurer for deposit to the NAFE account as soon as practical after receipt. If the funds are received at the Headquarters Office, they should be transmitted to the Treasurer for deposit, including an itemized listing of the checks, from whom received, and for what purpose. Ideally, a copy of each check should be made and retained as a backup to each deposit, in the event there is a question about payment being made.
2. Budgeted expenses related to the operation of the NAFE Headquarters Office shall be itemized. All other invoices or reimbursement requests shall be itemized. All expense reimbursement requests shall be submitted to the President for his approval before being forwarded to the Treasurer for payment.

History:

Drafted April 12, 2008 by Charles P. Reynolds, P.E., Treasurer. Adopted by BOD: July 25, 2008.

Rev. Section 2 by Bylaws Committee 01/18/2013.

NATIONAL ACADEMY OF FORENSIC ENGINEERS

NAFE AP No. 14

Guidelines For Use of the NAFE Logo and NAFE Insignia

The NAFE Logos are reserved for Academy communications and may not be used by members.



NAFE Logos

NAFE **Members, Senior Members and Fellows** may use the following NAFE insignias, as permitted below, to promote their membership in the Academy. This use is permitted only in accordance with the following guidelines. All other NAFE dues-payers - for example, Associate Members, Correspondents and International Affiliates are prohibited from using the NAFE insignias.



NAFE Insignias

General Guidelines

Use of the NAFE insignias is permitted only as an expression of an individual's board certification and may not be used to imply the membership of a company or organization in NAFE or as a direct or implied endorsement of any kind by NAFE. As such, the NAFE Insignias shall not be used on member (or member employer) websites.

- Only Members may use the Member Insignia
- Only Senior Members may use the Senior Member Insignia
- Only Fellows may use the Fellow Insignia
- The NAFE Logos may only be used by the Board of Directors, Executive Director, Committee leaders (or their designees), and NAFE staff for the business purposes of the Academy. Members and other dues-payers are not permitted to use the NAFE Logos.

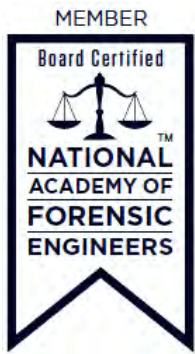
Members must use an electronic version of the NAFE insignias supplied by NAFE. Scanning the NAFE insignias from printed material or attempting to recreate the NAFE insignias independently is not permitted.

The NAFE insignias may be used only in a tasteful and professional manner and may not be incorporated into, or superimposed onto, any other graphic image.

Size—To ensure quality and tasteful reproduction, member use of the NAFE insignias is restricted to the following range of minimum and maximum sizes:

Maximum size: 1.5 inch height

Minimum size: 3/4 inch height



Color—Black

Reports and other communications (including electronic mail)

On reports and other such documents, the NAFE insignias (if used) shall be placed in close association with the member's name or signature line. (*See examples included at end.*)

Business Cards

On business cards, the NAFE insignias may be placed anywhere, so long as it is done in a tasteful and professional manner.

ABC Company

Address address address, City, State, 00000 | 800/000-0000, Fax: 703/000-0000, abccompany@mail.com

November 16, 1999

Ms. Jane J. Doe, P.E., NAFE

Address Address

City, State, 00000

Dear Ms. Doe:

This is the text of the letter over and over again and again and again. This is the text of the letter over and over again. This is the text of the letter over and over again. This is the text of the letter over and over again. This is the text of the letter over and over again. This is the text of the letter over and over again. This is the text of the letter over and over again.

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Sincerely,

John J. Doe, P.E., NAFE



ABC Company

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www.abccompany.com

History:

Drafted February 23, 2016 by Michael Leshner, P.E., Adopted by BOD: March 14, 2016.

NATIONAL ACADEMY OF FORENSIC ENGINEERS

NAFE OP No. 1 **MEDIATION OF MEMBER DISPUTES**

In order to foster collegial relations between members or affiliates, the NAFE will provide mediation when requested by the parties at dispute and deemed appropriate by the President. Such mediation may be provided relative to disputes on professional practice, including matters of ethics or in business matters related thereto. When informed orally or in writing of an impending dispute between members or affiliates of the Academy, any functionary of NAFE shall direct the attention of the parties to the availability of this service so that they can best seek timely mediation. When the parties involved are agreeable, on a voluntary basis, the President shall within thirty days appoint a mediator from amongst the Academy members. If travel or other expense is required of the mediator, the parties involved shall reimburse the mediator for actual expenses. There shall be no fee charges for the service and no expense to NAFE.

The mediation shall be confidential, and no portion of it may be used in future proceedings (if any), and no records kept, except that the mediator shall inform the President when the mediation is completed, referring to the matter only by a code number and maintaining the anonymity of the parties without disclosure of the results. All parties shall be free to withdraw at any time and may proceed into any other action permitted under law or in accord with organizational procedures without constraint. Any functionary of the NAFE involved in this process may serve in any other capacity otherwise permitted without constraint.

History: Drafted 1/6/95 by James M. Green, P.E., D.E.E., Calvin L. Zemsky, P.E. and Marvin M. Specter, P.E., L.S.; Adopted 1/17/95 by BOD.

NAFE OP No. 2 **REVIEW OF POLICIES**

NAFE Policies and Procedures ordinarily shall be reviewed by appropriate committees and thence by the Board of Directors on a cycle of approximately two years. The typical review schedule shall lead to action by the B.O.D. on NAFE Professional Policies (NAFE PP's) at the winter meeting in even numbered years and to action on NAFE Operating Procedures (NAFE OP's) and NAFE Administrative Procedures (NAFE AP's) at the winter meeting in odd numbered years. Each policy or procedure shall remain in force after adoption or revision until superseded by action of the B.O.D. revising or deleting the previous adoption. A cumulative record shall be kept of the history of each policy or procedure as it is adopted or revised by the B.O.D.

History: Drafted 12/20/94 by M. M. Specter, P.E., L.S.; Adopted 1/17/95 by BOD.

NATIONAL ACADEMY OF FORENSIC ENGINEERS

NAFE OP No. 3 **PUBLIC STATEMENTS**

Public statements on matters of probable controversy shall be made for NAFE only by the President or his successors in sequence if he is not timely available. All statements shall be in accord with the policies and practices of NAFE if such have been previously acted upon by the Board of Directors relative to the subject issue, and otherwise shall be governed by good engineering practice and the Code of Ethics. Statements on routine matters may be made by any officer or director when based upon well established policies or practices of NAFE.

History: Drafted 12/20/94 by M. M. Specter, P.E., L.S.; Adopted 1/17/95 by BOD.
Rev. by Bylaws Committee 01/18/2013

NAFE OP No. 4 **CO-SPONSORSHIP OR ENDORSEMENT OF ACTIVITIES OR PRODUCTS**

The use of the name of the National Academy of Forensic Engineers or any derivative thereof or implication of such to cosponsor or endorse any outside activity or product, including publications, is prohibited unless specifically authorized. Where any substantial liability or financial obligation may result, the approval shall be made by the Board of Directors. On minor matters, the President may give such approval, subject to concurrence of the Treasurer.

History: Drafted 12/20/94 by M. M. Specter, P.E., L.S.; Adopted 1/17/95 by BOD.

NAFE OP No. 5 **OPEN MEETINGS**

Requirements for membership in NAFE are demanding, and therefore the numbers of persons admitted to membership is relatively small. This exclusivity enables the members to interact with each other collegially to an extent not feasible in larger groups. To encourage that collegiality, the NAFE will endeavor to the fullest extent practicable to conduct its business and committee activities openly to encourage member interest, and to be receptive to suggestions and appropriate critique from the membership.

Within the parameters above, certain functions may typically be sequestered, such as the deliberations of the ethics committee, the nominating committee and, in the instance of litigation directly involving the Academy, the Board of Directors. However, the general meetings of committees and the BOD shall be open to observation of the members and within the constraints of time and good order; the chairman of each shall endeavor to receive input from the members. Where committee or BOD meetings need to be held indirectly (by telephone, FAX, mail, etc.), the chairman shall report the results to the members at the next general meeting in order to receive member inputs. The above procedures shall not preclude any other action of the Academy officers or other functionaries undertaken in compliance with the bylaws, policies, procedures or directives of the Board of Directors.

History: Drafted 6/25/95 by Marvin M. Specter, P.E., L.S.; Adopted 7/25/95 by BOD.

NATIONAL ACADEMY OF FORENSIC ENGINEERS

NAFE OP No. 6C **NAFE JOURNAL AND SEMINARS**

1. The JOURNAL OF THE NATIONAL ACADEMY OF FORENSIC ENGINEERS (the "Journal") is intended to provide a means for the Members, Senior Members, Fellows and Affiliates of NAFE to present case studies and principled discussion of the application of their specific technologies in the practice of forensic engineering. It is understood that the privilege of publication in this learned journal accrues a benefit of status and peer recognition to the author, although the specific writings do not necessarily represent approval or policy of the NAFE. Selected outside writers, such as attorneys, may be published in the "Journal" if their writings are uniquely meritorious and revealing to the NAFE membership. The purpose of the "Journal" is to inform, educate and elevate the membership and affiliates of the Academy. It is not intended as a publication of general interest.
2. In order to optimize the quality of articles published in the "Journal", it is expected that authors will make oral presentation to a seminar of the Academy and gain the benefit of oral critique from the attendees. The oral presentation may be waived by the Editor for matters deemed to be of urgent interest and benefit to the members. The final written draft of the article shall be technically reviewed by members of the Academy appointed for this purpose, and when technically recommended, shall be submitted for editorial review. The determination of the Editor as to acceptability shall be final.
3. The Academy believes that the members obtain education and competence through participation. Therefore, the regular seminar presentations of the Academy will be held at the semiannual meetings. Presentations will typically be of 30 minutes duration focusing on the application of a particular technology in the legal system, together with one or more cases within the experience of the speaker/writer illustrating the subject matter. It is the belief of the Academy that the application of a variety of technologies in the legal system provides valuable insight in methodologies and procedures which benefits the members. In addition to the regular seminars, special seminars on selected topics may be held.
4. Details of formatting and other guidelines for preparation of papers will be determined by the Editor and published in the "Journal". Commentary from Academy members and affiliates is invited, but must deal with the technical aspects of the subject article and the application thereof in the practice of forensic engineering. Ad hominem writings in the articles or commentary will not be accepted, nor will writings which reflect on the integrity or public image of any group of persons in or out of the profession of engineering. It is intended that the "Journal" will elevate the practice and image of professional engineering in the forensic domain.
5. The regular seminars of the Academy shall generally be limited to presentations by Members, Senior Members, Fellows and Affiliates of the Academy. Persons who are not members or affiliates may be privileged to become speakers if their proposed presentation is deemed by the Program or Education Chairman to be uniquely meritorious and revealing to the NAFE membership. The purpose of the seminars is to elevate the practice of forensic engineering and encourage competent, objective and non-biased professional practice.
6. Speakers at seminars who are members or affiliates and whose presentation is ultimately intended for publication shall provide all of their own expenses, including registration fees for the subject seminar (regardless of whether or not publication is ultimately attained). Speakers at special

NATIONAL ACADEMY OF FORENSIC ENGINEERS

seminars whose work is not to be published (except as to such information provided to attendees) may receive appropriate stipends toward actual expenses or as honoraria subject to approval of the Education Chairman, provided all expenses of the seminar are met and an appropriate contingency reserve is retained by the Academy.

7. By permitting the publication of a paper in the “Journal”, the author is deemed to have assigned all copy rights to the National Academy of Forensic Engineers (NAFE). However, upon request to the Editor, the author may obtain permission for republication with the proviso that attribution to the NAFE “Journal” is made. Such permission will typically be granted provided there is an absence of intervening factors adverse to the welfare or interests of the NAFE or its members.

History: Drafted 7/1/97 by M. M. Specter, P.E., L.S.; Adopted 7/18/97 by BOD:
Third par. drafted 1/29/98 by M.M. Specter, P.E., L.S. Third par. adopted 1/30/98
Seventh par. adopted 7/27/98 by BOD
Reviewed by John Leffler, P.E., and Mark Whelchel, P.E.; Adopted 12/30/2013 by BOD.

NAFE OP No. 7 **VERIFICATION OF MEMBER STATUS**

Inquiries regarding status of members shall be directed to the Executive Director who will act upon same when a written original signed request is received from a responsible inquirer. Electronic transmission will not be accepted. If the inquiry concerns a person not on the NAFE rolls, an immediate negative response will be made together with a request for documentation (if any) indicating that a false claim of NAFE membership has been made. If the inquiry concerns a current NAFE member, the Executive Director shall ascertain if said member is in good standing. If not in good standing, the member will be notified of the inquiry and allowed a short period of time to return to good standing before response is made to the inquiry. If the member remains not in good standing, the response shall so state and include a brief statement as to the cause thereof. Verifications of NAFE membership shall only state that fact together with the grade of membership, postal and telecommunications addresses. The NAFE membership files are not public documents.

History: Drafted 7/14/00 by M.M. Specter, P.E., L.S.; Adopted by BOD: 07/30/00

[Click to Return
to Application
Page 13](#)

NAFE OP No. 8 **NAFE ROLE AS TO STANDARDS**

~~The NAFE does not originate, approve or distribute Codes, Regulations or Standards.~~

History: Drafted 6/21/02 by M. M. Specter, P.E., L.S.
Adopted by BOD: July 14, 2002
Deleted by BOD: 7/9/05 and replaced by PP No. 2

NAFE OP No. 9 **SUPPORT OF OTHER PROFESSIONAL AND TECHNICAL ORGANIZATIONS**

NATIONAL ACADEMY OF FORENSIC ENGINEERS

NAFE supports its members as individuals belonging to various technical and professional organizations. The NAFE may supply space/time upon request of its members to hold meetings of such organizations. NAFE makes no endorsement of such meetings. This is a service to its members without acceptance of the work product of its members.

History:

Drafted 7/9/05 by J. Carden, P.E. and M. Kravitz, P.E., moved by M. Kravitz, P.E., and seconded by M. M. Specter, P.E., L.S.; Adopted 7/9/05 by BOD.

NAFE OP No. 10 **NAFE POLICY ON USE OF TITLES**

1. For administrative purposes, the NAFE will use and recognize the use of titles, acronyms or abbreviations descriptive of the following:
 - A. State licensure.
 - B. Certifications or Honors from programs in accord with the Council of Engineering and Scientific Specialty Boards (CESB).
 - C. Doctoral degrees from institutions which are approved and which degrees are accredited in accord with the requirements of the Council for Higher Education (CHEA) or the United States Department of Education with the curriculum thereof having been completed by the student during a period in which the institution was so authorized.
 - D. Non-US credentials or titles may be recognized if accepted by NAFE as the equivalent of acceptable United States credentials or titles.
2. The following are guidelines for NAFE members as to titles, including those in relation to the Council of Engineering and Scientific Specialty Boards (CESB). It is permissible to refer to yourself as a NAFE "Fellow", "Senior Member", or "Member" without alluding to the CESB, but it is not permissible to refer to your connection with the CESB in any form except as being through the NAFE. The CESB is an organization of organizations. There are no individual members of the CESB. The NAFE is your certifying board within the CESB. You may refer to yourself in curricula vitae or other personal or professional cards, letterheads or such, and orally using the NAFE title only, or you may use such inclusive of the CESB recognition in the verbiage which follows (use approved grade):

"NAFE" Member (Senior Member or Fellow)

or:

"NAFE" Member (Senior Member or Fellow) and Board Certified Diplomate in Forensic Engineering by the NAFE.

or:

"NAFE" Member (Senior Member or Fellow) and Board Certified Diplomate in Forensic Engineering by the NAFE, a CESB Member Board.

or:

"NAFE" Member (Senior Member or Fellow) and Board Certified Diplomate in Forensic Engineering by the NAFE, program accredited by the CESB.
3. NAFE affiliates may refer to themselves as NSPE "Affiliates", "Correspondents", "International

NATIONAL ACADEMY OF FORENSIC ENGINEERS

Affiliates”, or “Student Affiliates” as appropriate. The use of the title “Member” or any variation thereof or any language implying membership is prohibited.

4. The use of the NAFE or CESB (graphic) logos is reserved to the organizations. Their appearance on any plaque, diploma, certificate or such issued to an individual does not authorize the further use of the logo(s) by that individual.

History: Drafted 1/9/06 by M. M. Specter, P.E., L.S., F. NSPE; Adopted by BOD: 1/21/06

[Click to Return to
Application Page 14](#)

NAFE OP No. 11D PROCEDURES GOVERNING THE NAFE EMAIL GROUP

[Click to Return to
Application Page 15](#)

1. There shall be a seven-person Email group Committee consisting of two (2) Moderators appointed by the President, plus four (4) Co-Moderators, consisting of the President, Executive Director, Treasurer, and Secretary, the CPD Committee Chairman of the NAFE (the Academy).
2. The goal of the Email group is to improve and advance the practice of Forensic Engineering. Messages of commercial nature are prohibited. Any offering of services shall be done off-line.
3. (a). The Email group is for educational and technical information exchange by NAFE members and International Affiliates plus Correspondents of outstanding qualifications who have been affiliated with NAFE for at least four years, have presented a NAFE Seminar paper and had it published by NAFE, and are approved by the President, Secretary, and President-Elect for admission to the NAFE Group. The ethics provisions applicable to Members of NAFE shall also apply to International Affiliates and Correspondents privileged to participate in the e-mail group.
(b). Participants shall in their actions and communications within the group avoid any matters relating to the policies, procedures or governance of the Academy.
4. All Moderators shall have necessary passwords and access to control the workings of the Email group.
5. The two (2) Moderators selected by the President shall be NAFE Members, Senior Members, or Fellows in good standing in the Academy, including being current as to payment of dues and satisfaction of CPD requirements. They shall serve for two-year overlapping terms and may be re-appointed. There shall be two (2) levels of participation in the Email group. First, the Moderators will have primary responsibility for the system operation and will have complete access thereto, including the ability to add, limit or prohibit participation in the email group. Second, will be by the other Members, Senior Members, Fellows and International Affiliates of the NAFE.
8. Participants in the Email group must be in good standing in the NAFE, including being current as to payment of dues, and for Members, Senior Members, and Fellows, current in the satisfaction of CPD requirements.
9. Emails posted to the email group shall not to be transmitted or distributed in any form outside of the NAFE Email group without the written permission of the originator, and shall not be used for public critique or impeachment of the author. Violation of this rule may be a breach of ethics and may trigger an NAFE ethics review.

NATIONAL ACADEMY OF FORENSIC ENGINEERS

10. Permission to use messages in their complete form may be presumed if permission was initially granted by the author with the phrase "PERMISSION TO DISSEMINATE GRANTED" incorporated and displayed within the original message. Excerpts may be used only if the author and a Moderator provide written permission.
11. Personal attacks or the placement of material in poor taste or demeaning to others whether or not they are members of the Academy is prohibited.
12. Emails regarding engineering practice issues are open to criticism and debate and this debate is encouraged.
13. Members changing email addresses shall inform the Moderators promptly of such changes.
14. All messages must be typed with the first name or initials and the last name of the individual, and the NAFE member number of the sender.
15. The address of the group is: <http://groups.yahoo.com/group/NAFE1/>.

The NAFE1 discussion group is an internet discussion group established on the Yahoo Groups web server. The Yahoo Groups service is a free service that hosts numerous public and private internet forums. Participation in this group is a privilege that is extended to NAFE members, but it is not a right guaranteed by NAFE. Participants in this Group must abide by this NAFE operating procedure; failure to do so will result in removal from the Group. Allegation of failure to abide by the rules may result in sanction or removal from this Group as may be determined by the members of the Email Committee. Person(s) alleged to have violated the rules of the group shall be sent notice of the allegation and shall then have the opportunity to respond. The determination of the Committee shall be final.

Commercial advertisements by Yahoo may pop-up on the group web site, as that is the mechanism by which Yahoo Groups is able to offer this free service to the users. Such advertisements are outside of the control of the NAFE and the users of this Group.

History:

Drafted 01/03/2006 by Michael Kravitz, P.E. and Marvin M. Specter, P.E., L.S., F. NSPE;
Adopted by BOD: January 21, 2006.

Rev. A drafted 12/15/06 by Michael Kravitz P.E. & Marvin M. Specter, P.E., L.S., F.NSPE;
Adopted by BOD: January 5, 2007.

Rev. B, paragraphs 3(a) and 8 drafted by Mark Whelchel, P.E., George Hall, PE, Michael Kravitz P.E. and Marvin M. Specter, P.E., L.S., F.NSPE; paragraph 3(b) drafted by Marvin M. Specter, P.E., L.S., F.NSPE; Adopted by BOD: July 25, 2008.

Rev. C drafted by Marvin M. Specter, P.E., L.S., F.NSPE; Adopted by BOD: July 15, 2011.

Rev. D 3a by Bylaws Committee 01/18/2013

NATIONAL ACADEMY OF FORENSIC ENGINEERS

NAFE OP No. 12 **ENGINEERS WITHOUT BORDERS**

The NAFE encourages participation of engineers in projects sponsored by Engineers Without Borders-USA (EWB-USA). EWB-USA has repeatedly demonstrated itself to be a non-profit organization dedicated to sustainable engineering projects benefiting humanity. EWB-USA has effectively utilized Professional Engineers and their associates in these tasks, and well deserves respect and encouragement from the engineering community.

History:

Drafted by Mark Whelchel, P.E. and M. M. Specter, P.E., L.S. on July 25, 2008; Adopted by the BOD: July 25, 2008.

NAFE Operating Procedure (OP) No. 13 **PARTICIPATION IN NAFE SEMINARS**

The NAFE presents "Regular" and "Special" seminars at its meetings each year with distinctions being made only in formatting and information dissemination. However, they have the common purpose of Continuing Education for Professional Engineers who practice as engineering experts in the legal system.

In the legal system engineers are subject to voir dire as to engineering education and experience, including continuing education, such as participation on all levels in NAFE seminars.

Participation in the NAFE seminars may occur in a variety of ways, including as an organizer choosing and vetting the speakers and their topics, or as a speaker/presenter, or as an attendee, or as a technical reviewer.

Contributions from the audience are expected to add to the educational growth and experience of the other attendees. Audience attendees are themselves likely to have a wide range of competences, some of which may exceed those of the speaker.

The NAFE does not rank the seminar participants in the fashion of Academe, e.g.: Dean, Professor, Adjunct Teacher, Student, etc., and such terminology must not be used in voir dire, or otherwise to describe the role of the NAFE seminar participants.

NAFE intends its seminars to be a joint effort by all present at the seminars. There is no hierarchy. The purpose of continuing education in Forensic Engineering is the elevation of Professional Engineering practice.

History:

Drafted by Marvin M. Specter, P.E., LS & Michael Kravitz P.E.; Adopted by BOD: July 19, 2013

NATIONAL ACADEMY OF FORENSIC ENGINEERS

NAFE Operating Procedure (OP) No. 14

REVIEW OF JOURNAL PAPERS

~~The editor chooses the Reviewer(s) for each Journal paper from amongst the members and affiliates of the NAFE according to their competence and the subject of the paper, and arbitrates as necessary during the review process. This confidential process concludes with the acceptance of the paper for publication or its rejection or its withdrawal. The name(s) of authors are included with their published works. However, unpublished drafts together with the names and comments of reviewers are entirely confidential during the review process and are then excised at the conclusion of the process.~~

~~It is intended that the earlier drafts and also the names of reviewers shall be excised so that their comments shall not be available.~~

History:

~~Drafted by Marvin M. Specter, PE, LS, Ross Curtis, PE & Jesse Grantham, PhD, PE~~

~~Adopted by BOD: July 19, 2013~~

NAFE Operating Procedure (OP) No. 14C

NAFE Journal: Responsibilities of, Obligations of and Guidelines for Authors, the Journal Editor, Technical Review Committee Chair, and Technical Reviewers

A. Responsibilities of, Obligations of and Guidelines for Authors

1. An author's central obligation is to present a concise and accurate account of the investigation or analysis elements at issue as well as an objective discussion of the author's opinions and findings. Authors should recognize that publication of their paper in the NAFE Journal will invite critique by adverse parties. Authors must avoid professional conflicts of interest; such conflicts of interest include (but are not limited to) revealing details of settlements, or revealing enough details of a case that the identity of individual persons could be reasonably deduced.
2. Any unusual or potentially hidden hazards inherent in the analysis used in an investigation should be identified in a paper reporting the work.
3. In submitting a manuscript for publication, an author should inform the Journal Editor of related manuscripts or papers that the author has under editorial consideration or in press. Copies of those documents should be supplied to the Journal Editor, and the relationships of such documents to the one submitted should be indicated.
4. It is improper for an author to submit manuscripts describing essentially the same investigation to more than one journal, unless it is a resubmission of a manuscript or paper rejected for or withdrawn from publication. It is generally permissible to submit a manuscript for a full paper expanding on a previously published brief preliminary account (a "communication" or "letter") of the same work. However, at the time of submission, the Journal Editor should be made aware of the earlier communication, and the preliminary communication should be cited in the manuscript.
5. An author should identify the source of all information quoted or offered, except that which is common knowledge. Information obtained privately, as in conversation, correspondence, or discussion

NATIONAL ACADEMY OF FORENSIC ENGINEERS

with third parties, should not be used or reported in the author's work without explicit permission from those parties with whom the information originated. Information obtained in the course of confidential services should be treated similarly.

6. An investigation may sometimes involve criticism of the work of another investigator. When appropriate, such criticism may be offered in a proposed paper. However, in no case is personal criticism considered to be appropriate.

7. The co-authors of a paper should be those persons who have made significant technical contributions to the work reported and who share responsibility and accountability for the results. Authors should appropriately recognize the contributions of technical staff and data professionals. Other contributions should be indicated in a footnote or an "Acknowledgments" section. An administrative relationship to the investigation does not of itself qualify a person for co-authorship (but occasionally it may be appropriate to acknowledge major administrative assistance). Deceased persons who meet the criterion for inclusion as co-authors should be so included, with a footnote reporting date of death. No fictitious name should be listed as an author or coauthor. The author who submits a manuscript for publication accepts the responsibility of having included as co-authors all persons appropriate and none inappropriate. The submitting author should have sent each living co-author a draft copy of the manuscript and have obtained the co-author's assent to co-authorship of it.

8. The corresponding author must reveal to the Journal Editor, Technical Reviewers and to the readers of the Journal any potential and/or relevant competing financial or other interest (of all authors) that might be affected by publication of the authors' paper – apart from the benefits that may result from the article's recognition by the technical community. Conflicts of interest must be clearly stated at the time of manuscript submission and will be included in the published paper. In addition, all authors must declare any employment or other relationship (within the past three years) with entities that have a financial or other interest in the results of the paper (to include paid consulting, expert testimony, honoraria, and membership of advisory boards or committees of the entity). The corresponding author must advise the Journal Editor at the time of submission either that there is no conflict of interest to declare, or should disclose potential conflicts of interest that will be acknowledged in the published article.

9. Plagiarism is not acceptable in NAFE Journals. NAFE Journals adhere to the U.S. National Science Foundation definition of plagiarism as "the appropriation of another person's ideas, processes, results, or words without giving appropriate credit" (45 Code of Federal Regulations, Section 689.1). Authors shall not engage in plagiarism - verbatim or near-verbatim copying, or very close paraphrasing, of text or results from another's work. Authors shall not engage in self-plagiarism (also known as duplicate publication) - unacceptably close replication of the author's own previously published text or results without acknowledgement of the source. NAFE applies a "reasonable person" standard when deciding whether a submission constitutes self-plagiarism/duplicate publication. Material quoted verbatim from the author's previously published work must be placed in quotation marks. In contrast, it is unacceptable for an author to include significant verbatim or near-verbatim portions of his/her own work, or to depict his/her previously published results or methodology as new, without acknowledging the source.

NATIONAL ACADEMY OF FORENSIC ENGINEERS

(Modeled with permission from Society for Industrial and Applied Mathematics: Authorial Integrity in Scientific Publication)

10. Upon acceptance of an abstract, Authors agree to work with the Journal Editor, Technical Review Committee Chair, and Technical Reviewers (as necessary) while the Author creates the draft manuscript, presentation, completed manuscript, and final paper. The identity of each Technical Reviewer of a manuscript shall not be disclosed to the other Technical Reviewers of that manuscript; each review shall be independent.

11. Images should be free from misleading manipulation.

B. Responsibilities of, Obligations of and Guidelines for the NAFE Journal Editor

1. The Journal Editor shall ensure that unbiased consideration is given to all author submittals offered for publication, judging each on its merits without regard to race, religion, nationality, sex, seniority, or institutional affiliation of the author(s). The Journal Editor may, however, take into account subjects of a manuscript immediately under consideration in relationship to others subjects previously or concurrently offered by the same author(s).

2. The Journal Editor shall not disclose any information about a manuscript under consideration to anyone other than those from whom professional advice is sought. However, a Journal Editor who solicits or otherwise arranges beforehand the submission of manuscripts may need to disclose to a prospective author the fact that a relevant manuscript by another author has been received or is in preparation. The NAFE Board of Directors (BOD) may request information from the Journal Editor about the identity of Technical Reviewers for in-process Journals, but such information shall remain confidential within the BOD. Any communications with Technical Reviewers by BOD members shall be through arrangement with the President. The identity of each Technical Reviewer of a manuscript should not be disclosed to the other Technical Reviewers of that manuscript; each review should be independent. All record of the identity of a manuscript's Technical Reviewers shall be destroyed upon publication of the final paper. The Journal Editor may disclose titles and authors names for papers that have completed technical review and are in the process of publication, but no more than that unless the author's permission has been obtained.

3. If a Journal Editor is presented with evidence that the main substance or conclusions of a published paper are erroneous, the Journal Editor should facilitate the Technical Review Committee Chair's evaluation of the need for publication of an appropriate commentary pointing out the error and, if possible, correcting it. The report may be written by the person who discovered the error or by an original author.

4. The Journal Editor is to consider an author's request to not use certain Technical Reviewers. However, the Journal Editor may decide to use one or more of these Technical Reviewers, if the Journal Editor feels their opinions are important in the fair consideration of a manuscript. In such a situation, the Journal Editor shall confirm that the Technical Reviewer does not have a conflict of interest with the manuscript or its author and can perform their task in a fair and professional manner.

C. Responsibilities of, Obligations of and Guidelines for the Technical Review Committee Chair

NATIONAL ACADEMY OF FORENSIC ENGINEERS

1. The Technical Review Committee Chair shall ensure that unbiased consideration is given to all author submittals offered for publication, judging each on its merits without regard to the race, religion, nationality, sex, seniority, or institutional affiliation of the author(s).
2. The responsibility for reviewing, acceptance or rejection of an abstract rests with the Technical Review Committee Chair, in conjunction with the input of selected Technical Reviewers, if so delegated.
3. The responsibility for reviewing, acceptance or rejection of a manuscript (based on an approved abstract) rests with the Technical Review Committee Chair, in conjunction with the input of the selected Technical Reviewers. Responsible and prudent exercise of this duty normally requires that the Technical Review Committee Chair recommends (to the Journal Editor) multiple Technical Reviewers, chosen for their expertise and good judgment, as to the quality and reliability of manuscripts submitted for publication. However, manuscripts may be rejected without external review if considered by the Technical Review Committee Chair to be inappropriate for presentation or the Journal. The rationale(s) for rejection shall be provided to the author(s) through the Journal Editor. If so requested by the Technical Review Committee Chair, the NAFE President may approve the use of a single Technical Reviewer for individual manuscripts; otherwise, a minimum of two Technical Reviewers shall be used for each manuscript.

D. Responsibilities of, Obligations of and Guidelines for Technical Reviewers

1. A chosen Technical Reviewer who feels inadequately qualified to judge the analysis reported in a manuscript shall return it promptly to the Technical Review Committee Chair. Should a Technical Reviewer receive a manuscript at a time when circumstances preclude prompt attention to it, the unreviewed manuscript should be returned in a timely manner to the Technical Review Committee Chair.
2. A Technical Reviewer of a manuscript should judge objectively the quality of the complete manuscript and supporting information, with due regard to the maintenance of high engineering and literary standards.
3. A Technical Reviewer should not evaluate a manuscript authored or co-authored by a person with whom the Technical Reviewer has a personal or professional connection if the relationship would bias judgment.
4. A Technical Reviewer should treat a manuscript sent for review as a confidential document. It should neither be shown to nor discussed with others except, in special cases, to persons from whom specific advice may be sought; in that event, the identities of those to be consulted shall be disclosed to the Technical Review Committee Chair in advance. The identity of each Technical Reviewer of a manuscript should not be disclosed to the other Technical Reviewers of that manuscript; each review should be independent.
5. A Technical Reviewer should be alert for the failure of authors to cite relevant work by others. A Technical Reviewer should call to the Journal Editor's attention any substantial similarity between the manuscript under consideration and other published papers known to the Technical Reviewer.

NATIONAL ACADEMY OF FORENSIC ENGINEERS

6 Technical Reviewers should not use or disclose unpublished information, arguments, or interpretations contained in a manuscript under consideration, in their practice, except with the consent of the author. In some cases, it may be appropriate for the Technical Reviewer to write the author, with copy to the Journal Editor, about the Technical Reviewer's work in that area.

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History: OP 14A replaces OP 14.

Drafted by John Leffler, P.E., Mark Whelchel, P.E.; Adopted by BOD: August 27, 2013

OP 14B adopted by BOD January 10, 2014; Drafted by John Leffler, P.E., Mark Whelchel, P.E.

OP 14C replaces OP 14B; adopted by BOD March 4, 2014; Drafted by John Leffler, P.E., Mark Whelchel, P.E.

-Journal Editor – Job Description -

Basic Position Purpose:

To solicit abstracts for potential Journal papers, guide the creation of manuscripts and author presentations for accepted abstracts, and manage the publication of papers that have been presented at NAFE Regular seminars. Publication management shall consist of overseeing a paper's development, completion, and peer-review, followed by performing final editing & formatting, Journal print layout, printer-coordinating, website highlighting, and distribution of the semi-annual NAFE Journal.

Qualifications:

- Must have solid technical writing skills and experience. Must be familiar with engineering or comparable scientific and technical topics – preferably including forensic engineering. Must be familiar with the content and format of typical peer-reviewed technical Journals. Must have good verbal and written communication skills. Written and oral communications and other work product must be thorough, accurate, logical, grammatically correct, and with a style understandable to individuals in the engineering and legal communities.
- Must be able to and willing to work effectively and respectfully with others. Able to understand and communicate effectively and respectfully with others who may possess valid viewpoints not readily recognized or understood. Able to work effectively with individuals who are volunteers to achieve Journal publication objectives.
- Must have ability to effectively use personal computers and software. Must be proficient in and capable of utilizing 'on-line' services and systems.

NATIONAL ACADEMY OF FORENSIC ENGINEERS

Typical Duties and Responsibilities:

1. Review, understand, and comply with OP-14 “Journal Guidelines”.
2. Solicit abstracts from potential authors
 - a. Approximately six months prior to the next Regular seminar, send a “Call For Papers” solicitation to NAFE members via email. Solicitation is to include instructions for submitting an abstract, mention that guidance on the publication of NAFE Journal papers can be found in OP-14 (and a website link provided), and mention that content and formatting details can be found in the “Requirements & Guidelines for Technical Papers – NAFE Journal” document (and a website link provided).
 - b. Approximately six months prior to the next Regular seminar, send a “Call For Papers” solicitation to other relevant engineering associations, after determining cost-effective associations to market to and solicitation formats to use. In the event that the cost of any solicitation will exceed \$200, obtain approval from the President and Treasurer in advance.
 - c. Approximately three months prior to the next Regular seminar, send another “Call For Papers” solicitation to NAFE members via email, focused on lining up backup presenters, and emphasizing the tighter time schedule – but otherwise format as above.
 - d. For use during NAFE “Regular” seminars, provide a one-slide summary showing Journal Editor contact information, weblink to OP-14, and weblink to “Requirements & Guidelines for Technical Papers – NAFE Journals”.
3. Jointly with the Technical Review Committee Chair, review received abstracts to determine if they represent papers that are:
 - a. Likely to be of interest to the general population of seminar attendees.
 - b. Discussing a non-trivial application of technical issues within the context of the legal system.
 - c. Without significant and potentially problematic controversy or conflict.
 - d. Compatible with other planned presentations.
4. Formally notify authors of approval (or rejection) of their abstract (by the Technical Review Committee Chair), and provide guidance on completing the draft manuscript and seminar presentation. Notify authors that if they do not provide a draft manuscript deemed adequate by the Journal Editor 30 days prior to seminar, that the author may be excluded from presenting. Upon receipt of the author’s draft manuscript, forward to Technical Review Committee Chair for their initial evaluation of potential Technical Reviewers.
5. At least 45 days prior to the Regular seminar, outline a sequence of presenters and alternates, and notify Executive Director of speaker sequence and presentation titles for use in creating meeting notices. In the event that alternate presenters are required, notify the Executive Director as soon as practical.
6. Maintain communication with authors up until their presentation is complete, and notify the authors

NATIONAL ACADEMY OF FORENSIC ENGINEERS

that they are solely responsible for their own presentation materials, computers or other equipment, and electronic files.

7. After a manuscript has been successfully presented at a NAFE "Regular" seminar:

- a. Begin helping and encouraging authors to complete their manuscripts, based on input from their presentation and other peer comments, if any.
- b. Upon receipt of each completed manuscript, forward to the Technical Review Committee Chair for their verbal recommendation of reviewers to use.
- c. Forward manuscripts to the chosen Technical Reviewers for the technical review process.
- d. Manage the review process to achieve a timely and competent peer review. Should there be differences of opinions between the author and reviewer(s), work with the Technical Review Committee Chair to resolve differences. Refer to NAFE OP-14.
- e. Upon the completion of the technical review, personally review each manuscript for grammar, sentence/paragraph structure, punctuation and final Journal appropriate formatting, directing and obtaining author's approval or acceptance of changes necessary to assure each final paper reflects presentable work product of well-educated individuals. Forward a marked-up edited copy to the Technical Review Committee Chair for final approval.
- f. For each Journal, develop Journal's lead-in pages and table of contents, being mindful of the need for historical consistency and layout.
- g. Working with the [approved] printer, format or help format papers to meet the needs of the printer's process and capabilities. Manage the printer to complete the formatting and printing tasks to assure the printing of the Journals in a timely manner.
- h. Working with the printer, manage the timely distribution of the Journals.
- i. Working with the website committee, provide the data and files necessary to document/promote the published paper online and support the sale of individual papers, Journals, and compilations.

In addition,

- If requested or if deemed needed, provide guidance and opinions to the Board regarding options for printing companies that could or should be considered as NAFE Journal printers.

Work Direction Given to Others:

Will regularly give work direction to NAFE members, as volunteers, in response to Journal article review needs. When such situations do arise, guides accuracy, quality, wisdom and scheduling of those assignment responses.

Contact with Others:

NATIONAL ACADEMY OF FORENSIC ENGINEERS

Requires regular, polite, tactful, confident and effective contacts with all persons, authors, reviewers and printer. Requires the ability to quickly integrate a broad variety of subtle factors to assure effective interactions. Often requires a degree of tact to avoid friction, sometimes requires purposefully exerting calculated pressure to achieve desired results. Important that good will be exhibited with all contacts and at all times.

History:

Approved by BOD March 4, 2014.

NAFE Journal Content – Requirements and Guidelines for Technical Papers

Subject to modification or amendment at the discretion of the Journal Editor

An Abstract of not more than 100 words shall be sent to the Journal Editor for initial consideration. After acceptance as a presenter, one draft copy of paper shall be submitted to the Journal Editor no later than 30 days before the seminar.

Following presentation at the seminar, an updated draft ready for technical review shall be provided to the Journal Editor electronically (journal@nafe.org), normally within 30 days.

Technical content and formatting requirements and guidelines

1. Titles shall have a length not exceeding 70 characters and spaces.
2. The Manuscript should be provided electronically in Microsoft Word or plain text format. A PDF formatted version should also be supplied for reference. The final published Journal article text will be produced in Times New Roman 12 point, and the only allowed variations are to **bold**, and/or *italicize* minor portions of the text for emphasis and organization. All Figures and Tables shall be referenced in the text (e.g. "See Figure 1.") and be captioned as described below.
3. Generally, the maximum length of a paper is 10,000 word-equivalents. As an approximation, each full manuscript page of text, tables or figures is the equivalent of 300 words.
4. Each author's full name, postal address (no company names), and email address or phone number shall appear in the footer of the first page.
5. Headings should be at the left margin and the first line of paragraphs should be indented. A maximum of two levels of subordinate paragraphs may be included; these paragraphs should use numbers or letters as headings [e.g. "A)" or "1)"], with the first line of the subordinate paragraphs indented.

NATIONAL ACADEMY OF FORENSIC ENGINEERS

6. All mathematics shall be typewritten and special symbols shall be identified properly. The letter symbols used should be defined where they first appear in figures, tables, or text, and arranged alphabetically in an Appendix at the end of the paper titled, "Appendix Notation."
7. Standard definitions and symbols should be used.
8. Photographs, Tables, and Diagrams (images) should be submitted as full color .tif or .jpg files. For high quality print production, target resolution is 300 dpi at 100% of size used. Image file names should indicate Figure or Table number (e.g. "Figure1.jpg"). Each image shall be referenced in the text, and have a separate descriptive caption below the image (e.g. "Table 2 - Test Results"). Images may additionally use arrows and other clarifying graphics but these shall be added to the image file using image editing software. For graphics in images, appropriate contrast for both color and black & white reproduction should be chosen.
9. References may be cited in the text using a numerical superscript. The associated reference text should be arranged in numerical order in footnotes or endnotes.
10. Acronyms and organizational title abbreviations may be used provided the name or title is given in full at the place first used and followed in parentheses by the abbreviated form.
11. Where figures, tables standards, specifications or any substantial textual material is to be incorporated into the article for publication in the NAFE Journal which has previously appeared in another publication or is otherwise copyrighted or reserved, the author shall submit written authorization from the previous publishers for use of that material. The source of the material shall be stated in the NAFE article with indication that it is used with permission.
12. Papers should be written in a scholarly form for publication, avoiding the use of first and second person. Each paper shall begin with the Abstract.
13. A section entitled "Keywords" shall follow the Abstract. Keywords shall include "Forensic Engineering" plus a maximum of ten technical terms describing the content. Avoid generic terms such as "analysis", "investigate", or "testify".
14. A set of conclusions or summary shall end the paper.

Following submittal for technical review

The technical review of the manuscript will be managed by the Journal Editor, and contact will be made with the author as necessary.

Requirements for publication after technical review

After the technical review is completed and the paper is accepted by the Journal Editor for publication, corrections should be made by the author and the final draft (and images) sent electronically to the Journal Editor (journal@nafe.org).

NATIONAL ACADEMY OF FORENSIC ENGINEERS

NAFE will endeavor to return important documents submitted to the Journal, but cannot guarantee safe return. It is recommended that authors make and retain good file copies of submissions.

Note:

Only papers which are presented at a NAFE Regular seminar and have received oral critique at the seminar will be accepted for review and publication. For this presentation, authors are responsible for providing their own presentation slides or other materials, as well as an appropriate computer and peripherals (other than a projector and microphone) for use in projecting their materials. Following the presentation (limited to 20 minutes), there shall be a question-and-answer opportunity; additionally, the author shall ask a nontrivial “Learning Question” of the audience to verify understanding. The oral presentation may be waived through approval of the President and the Journal Editor for matters deemed to be of urgent interest and benefit to the members. The Journal Editor has final determination as to publication.

History: Adopted by the BOD March 4, 2014.

NATIONAL ACADEMY OF FORENSIC ENGINEERS

PROFESSIONAL POLICY 1A (PP No. 1A)

PROCEDURES FOR THE NATIONAL ACADEMY OF FORENSIC ENGINEERS' PROCESSING VIOLATIONS OF THE CODE OF ETHICS

ARTICLE I

GENERAL PROVISIONS

Section 1. Purpose: it is the purpose of this policy to state the process, including definitions, procedures and limitations, which govern the response of the National Academy of Forensic Engineers to allegations by its members of a violation of the Code of Ethics by another member.

Section 2. This article contains definitions which apply to all other articles and sections of these rules. These provisions shall apply to all Members, Senior Members and Fellows of the Academy. Where the term "Member" appears herein it shall apply to any and all of the above.

Section 3. It is the Academy's intent that it will make all reasonable efforts to administer its procedures in accordance with the time intervals as noted in the following Sections. However, the Academy reserves the right to modify those time intervals as necessary in order to fairly handle the alleged violation of the Code of Ethics. Any modifications in time intervals shall be done in a manner which does not cause prejudice to the right of any Complainant or Respondent, and the Academy's inability to comply with time intervals referenced in these procedures shall not be grounds for dismissal of any disciplinary proceedings.

Section 4. DEFINITIONS:

- A. Allegation - An unofficial complaint filed by a member of the NAFE against another member of the NAFE.
- B. Appeal - Appeal by Respondent to the Board of Directors from the recommendation of the Ethics Committee.
- C. Board of Directors - The National Academy of Forensic Engineers Board of Directors herein referred to as the board.
- D. Burden of Proof - Beyond A Reasonable Doubt.
- E. Censure - Censure by the Board.
- F. Chairman - Chairman of the Ethics Committee.
- G. Code of Ethics - NSPE Code of Ethics.
- H. Complaint - An allegation that meets the criteria hereinafter stated.
- I. Complainant - The NAFE Member initiating the Allegation against another Member of the NAFE.

NATIONAL ACADEMY OF FORENSIC ENGINEERS

- J. Ethics Committee - The Ethics Committee shall be appointed by the President and shall consist of nine (9) Members, Senior Members or Fellows of the Academy in terms of three years each, set into classes of three for each year and herein referred to as the Committee.
- K. Executive Director - The National Academy of Forensic Engineers Executive Director.
- L. Expulsion - Expelled from the National Academy of Forensic Engineers by the Board.
- M. Hearing - Official Hearing held by the Ethics Committee to hear an Official Complaint.
- N. Letter of Caution - Cautionary advice by the Board.
- O. Member of the Academy - Fellow, Senior, Member.
- P. Notice of Hearing - Official Notice to Complainant and Respondent of the date, time and place of a Hearing.
- Q. Official Complaint - A procedurally and administratively correct allegation hereinafter called the Complaint.
- R. Publication - Disciplinary actions involving expulsion shall be published in the NAFE NEWSLETTER and shall include the name of the individual being expelled.
- S. Report - Recommendation by the Committee to the board of Directors.
- T. Reprimand - Letter of Reprimand by the Board.
- U. Respondent - The NAFE Member against whom an allegation has been filed.
- V. Response - Written Response by the Respondent.
- W. Suspension - Suspension from NAFE for a period of time by the Board.
- X. The National Academy of Forensic Engineers - Hereinafter referred to as the NAFE or the Academy.

ARTICLE II

INITIATION OF AN ALLEGATION OF A VIOLATION OF THE CODE OF ETHICS

Section 1. Any NAFE Member in good standing may file a written allegation based on first hand knowledge and/or verifiable documentation (including disciplinary actions by a State Board of Conduct for Professional Engineers) which indicates a violation of the Code of Ethics. Hearsay or summary characterizations, whether oral or written, will not be accepted for this purpose. Since any sanctions imposed by the Academy for unethical practice may have a severe adverse effect upon the future practice of the Respondent, the Ethics Committee will require a Burden of Proof equivalent to that necessary for criminal convictions, i.e., "Beyond A Reasonable Doubt".

Section 2. SUBMISSION OF WRITTEN ALLEGATION: The Complainant shall submit to the NAFE Executive Director the allegation of a violation of the Code of Ethics with reference to the applicable NSPE Code of Ethics with Section(s) and detail of all facts believed to support the allegation(s) (i.e., calculations, testimony, etc., including the source thereof and the role of the Complainant). If the date of the submission falls on a weekend or holiday, the date of receipt shall be

NATIONAL ACADEMY OF FORENSIC ENGINEERS

the next business day. Transmissions shall be marked “personal and confidential” on the outside of the envelope.

Section 3. The allegation must include the following:

- A. Name and address of the current NAFE Member who is making the complaint.
- B. Name and address of the member of NAFE whose conduct is being questioned.
- C. Approximate dates and times when the violations occurred.
- D. Facts describing the alleged violations, including specific engineering data.
- E. The specific sections of the Code of Ethics which allegedly have been violated.
- F. Signature of Complainant and date of Allegation.
- G. Certification that there are no legal actions pending with reference to the subject matter of the Allegation.

ARTICLE III

PROCESSING OF AN ALLEGATION

Section 1. An Allegation of a violation of the Code of Ethics regarding the conduct of a member with respect to a particular case shall not be accepted for processing during the ongoing or pending legal or alternate dispute resolution proceedings, unless a clear and adequate factual showing of imminent danger to public safety and health is made. If there is no imminent danger to the public safety and health, the Executive Director shall notify the Complainant that the Allegation cannot be processed until such time as the legal actions are certified to be complete.

Section 2. Upon receipt of an Allegation by the Executive Director for which there are no legal or alternate dispute proceedings pending, the Executive Director shall stamp on the face thereof the date on which the allegation was received. Each Allegation shall be assigned a control number which shall be entered on the Allegation itself and on a file folder in which the Allegation shall be filed.

Section 3. The Executive Director shall, within fifteen days of receipt of the Allegation, review the Allegation to assure that it complies with the procedural and administrative requirements of Article II, Section 3, above, and that it is filed by and names a Respondent who is a Member of NAFE.

Section 4. If the Allegation lacks any essential elements as described above in Article II, Section 3, a copy of the Allegation shall be returned to the complaining party by the Executive Director along with a letter identifying the defect in the Allegation.

Section 5. Within fifteen (15) days of receipt of an Allegation that complies with the procedural and administrative requirements of Article II, Section 3, the Executive Director shall forward a copy of the Allegation to the Chairman of the Ethics Committee. The Chairman shall, within fifteen (15) days, review the Allegation to ascertain whether or not it complies with the technical requirements of Article II, Section 3 (i.e., sufficient engineering data). The Chairman may, at his/her discretion, consult with a Member who has no interest in the proceedings on the issue of technical adequacy.

NATIONAL ACADEMY OF FORENSIC ENGINEERS

Section 6. If the Allegation lacks sufficient engineering data as described above in Article II, Section 3, a copy of the Allegation shall be returned to the Complainant by the Executive Director along with a letter from the Chairman identifying the defects in the Allegation.

Section 7. If the Allegation complies with the requirements of Article II, Section 3 and Article III, Section 5 as determined by the Chairman, the Allegation shall be deemed as an Official Complaint and the Executive Director shall send a copy of the Official Complaint to the Respondent within thirty (30) days thereafter. The copy shall be sent by Certified mail, Return Receipt Requested, marked "personal and confidential" on the outside or the envelope. Subsequent amendments to the Complaint shall be mailed to the Respondent within fifteen (15) days of their receipt. If for any reason a Certified Mailing is ineffective, personal service of a copy of the Complaint may be served by official process server in the county in which the Respondent resides. If this type of service is necessary, confidentiality of the Complaint shall be preserved to the extent reasonable under the circumstances.

Section 8. If the Complainant or the Respondent is a Member of the Committee or the Board, the Executive Director shall advise such person that he or she is disqualified from participating in the disciplinary proceeding as a Committee or Board member and cannot be present or participate in any discussions, recommendations or decisions of the Committee and/or Board.

Section 9. Within forty five (45) days of the receipt of any Official Complaint the Respondent may file a written Response with the Executive Director. Failure to File a written Response shall not be deemed an admission by the Respondent of the Allegations contained in the written Complaint.

Section 10. The date the written Response is received shall be stamped by the Executive Director on the face of the Response. The Response shall be assigned the same control number as the Complaint, the number shall be entered on the Response, and the Response shall be filed in the folder in which the Complaint is filed.

Section 11. A copy of the Complaint and the written Response shall be forwarded to each member of the Ethics Committee and to the Complainant by the Executive Director within fifteen (15) days of the receipt of the Response or after the allotted time for the Response if no Response is received.

ARTICLE IV

COMMITTEE REVIEW AND RECOMMENDATIONS

Section 1. After written referral of a matter to the Committee, or at any other point in these proceedings, each Committee member should determine whether he or she has any conflict of interest in considering the matter. If a Committee member seeks to be excused from considering a particular case due to a conflict of interest, he or she should immediately notify the Executive Director in writing and remove him/her from any further discussion, recommendations and/or decisions of the matter at hand.

Section 2. After receipt of a written Complaint, and after the time has passed for the Respondent to file a Response to the Complaint, the Committee shall agenda the Complaint for review at its next meeting. The Committee shall have the discretion to combine or sever matters for hearing, or to utilize any other reasonable procedure devices to efficiently and fairly consider all cases. In addition, if at any

NATIONAL ACADEMY OF FORENSIC ENGINEERS

point in these proceedings the Respondent admits material facts establishing an ethical violation, the Respondent may waive his or her right to further proceedings in accordance with this Policy and may agree with the Committee on a recommended level of discipline to be presented to the Board.

Section 3. A telephone conference meeting or other type of meeting of the Committee and the Executive Director shall be held after receipt of the Complaint and Respondent's Response or after conclusion of the time allotted for a Response. The Committee shall review the Complaint and the Response, if any, to determine whether the Complaint, if all matters alleged therein are assumed true, constitutes a breach in the Code of Ethics. In order to make this determination, the Committee may request additional information from the Complaint and Respondent.

Section 4. If the Committee determines that there is no probable cause to believe a violation of the Code of Ethics has occurred, the Complaint shall be dismissed and the Respondent and the Complainant shall be so notified by Certified Mail, Return Receipt Requested, of this action. After dismissal of the case the file will be closed and will remain confidential unless the respondent requests in writing that it be published in the Newsletter.

Section 5. If the Committee determines that there is probable cause to believe a violation of some ethical standards has occurred and the Committee may not have the authority to deal with the specific type of violation, or if the Committee determines that there is probable cause to believe a violation of some ethical standards has occurred and both the Committee and some other society of entity have the authority to discipline the violator, the Committee may recommend that the Board refer the matter to the other appropriate society of entity. Both the Complainant and the Respondent shall be notified by Certified Mail, Return Receipt Requested, of this action by the Board.

Section 6. If the Committee determines that there is probable cause to believe that a violation of the Code of Ethics has occurred, the Committee shall set the matter for a Hearing. The scheduled date of the Hearing shall be the next semiannual meeting after the date the Committee makes its determination as to probable cause. Both the Complainant and the Respondent shall be notified by Certified Mail, Return Receipt Requested, of the date of the Hearing. The Notice of Hearing shall specify the specific sections of the Code of Ethics which there is probable cause to believe the Respondent violated. Once these matters are set forth in the Notice of Hearing, these are the only matters on which the Committee may conduct a Hearing and no other issues may be raised subsequent to the issuance of the Notice of Hearing. The Notice of Hearing shall inform the Respondent that he or she must notify the Committee within thirty (30) days after receipt of the Notice as to whether he or she wants to proceed with the Hearing or waives his or her right to a Hearing. If the Respondent does not respond within the specified time, the Committee may cancel the Hearing, consider the evidence available, and submit its recommendation to the Board.

ARTICLE VI

HEARINGS

Section 1. CONDUCT OF A CLOSED HEARING - The Ethics Complaint Hearing shall be held in closed session unless the Respondent requests otherwise. Only members of the Ethics Committee, the Executive Director, the NAFE legal advisor, the Complainant, the Respondent and their representatives

NATIONAL ACADEMY OF FORENSIC ENGINEERS

may attend a closed Hearing. The Hearing shall be conducted in accordance with Robert's Rules of Order Revised. When the Hearing is closed, no information pertaining to it (i.e., Complaint, Response, etc.) may be released or distributed to persons other than the complainant, Respondent, the Executive Director, the Chairman and the members of the Ethics committee, NAFE legal advisor and the Complainant's and Respondent's representatives prior to the resolution of the Complaint.

Section 2. COMPLAINANT'S ATTENDANCE AT THE HEARING - It is mandatory that the Complainant be present at the duly noticed Hearing. If the Complainant is not present, the Complaint must be dismissed.

Section 3. RIGHT TO REPRESENTATION - The parties may be represented during the Hearing by an attorney or an advocate of their choice.

Section 4. Hearings on a Complaint of a violation of the Code of Ethics shall be conducted by the Committee. The Chairman of the Committee or his or her designee shall be Chairman of the Hearing and shall be responsible for its conduct, including rulings if necessary, on any points or order.

Section 5. A sound recording shall be made of all hearings and shall be kept on file at the NAFE headquarters office for a period of three (3) years. In the event a copy of the recording is requested, it will be furnished, at cost, to the Complainant and/or Respondent.

Section 6. SWORN TESTIMONY - All persons testifying at the Hearing shall be sworn by the Chairman.

Section 7. DOCUMENTS AND EVIDENCE

A. The parties have a continuing obligation to timely amend their submissions to timely reflect any changes and/or additions to their supporting evidence. These Amendments shall be sent to all parties including the Committee and the Executive Director by Certified Mail, Return Receipt Requested, at least thirty (30) days prior to the Hearing.

B. If a party is relying on the testimony of others, a summarization of such testimony shall be submitted in the form of Notarized Affidavits at least thirty (30) days prior to the Hearing.

Section 8. PRESENTATION OF EVIDENCE AT HEARING - After commencement of the Hearing, Complainant shall present his/her case, as defined by the written Complaint. Upon close of Complainant's case, Respondent shall present his/her Response to Complainant's allegations. Rebuttal and/or closing arguments may, upon request, be authorized by the Chairman, limited to one (1) each with the final by the Respondent. In addition to written and oral arguments, the parties may present documentary, demonstrative and/or illustrative evidence at the Hearing. The Chairman will authorize as much time as necessary for the Complainant and Respondent to present testimonial evidence, which may be cumulative, but shall not be repetitive. Committee members, the Complainant, the Respondent and/or their representatives, upon recognition by the Chairman, may pose questions to the Hearing participants.

Section 9. CLOSING HEARING AND RULING ON COMPLAINT - At the conclusion of the Hearing, the committee will meet in closed session to deliberate and determine whether or not in fact a violation of the Code of Ethics occurred. The Executive Director and the NAFE legal counsel may attend this closed session after the Hearing in reaching its recommendations on the complaint. The

NATIONAL ACADEMY OF FORENSIC ENGINEERS

Committee shall base its recommendations on the record of the Hearing. Documentary evidence or other material not in the Hearing record shall not be considered by the Committee in its recommendations. In its deliberations, the Committee shall also decide what, if any, form of discipline is recommended. The Committee is not limited to the following described disciplinary measures in determining a recommended level of discipline. The Committee shall have the discretion to recommend any less severe form of discipline appropriate to the ethical violation that has occurred. The Executive Director will advise the Ethics Committee if the individual has received any previous NAFE Ethics Committee discipline for a violation of the Code of Ethics.

Section 10. FINDING OF NO VIOLATION OF THE CODE OF ETHICS - If the Committee determines that there has not been a violation of the Code of Ethics, the Committee shall finalize its findings in writing. The writing shall include:

- A. The allegations of the Complaint;
- B. The findings of facts made by the Committee.

Section 11. REPORTING OF NO VIOLATION

A. The Committee's final report of no violation shall be filed within fifteen (15) days with the Executive Director.

B. the Committee's final report of "no violation" shall be mailed by the Executive Director by Certified Mail, Return Receipt Requested, to both the Respondent and the Complainant within thirty (30) days of the conclusion of the Hearing.

Section 12. Within thirty (30) days of receipt by the Respondent of the Committee's final report finding that no violation of the Code of Ethics has occurred, the Respondent may request that the Committee's findings be published in the Newsletter of the Academy. If the Respondent does not request such, publication shall not be made.

Section 13. FINDING OF A VIOLATION OF THE CODE OF ETHICS - If the Committee determines that there has been a violation of the Code of Ethics, the Committee shall finalize its findings in a written Report which will be forwarded to the Board of Directors by the Executive Director for final determination and action. The Report shall include:

- A. The Complaint and Response used at the Hearing.
- B. The findings of fact made by the Committee.
- C. The specific violation(s) of the Code of Ethics found to have occurred and the appropriate references to the various sections of the Code of Ethics which have been violated.
- D. The Committee's recommendation for disciplinary action.

If a violation is found, the Executive Director within fifteen (15) days shall notify the Respondent and furnish a copy of the written Report to the Board of Directors, and shall schedule the matter on the agenda for the next Board of Directors' meeting, which occurs at least sixty (60) days after receipt of the Report.

Section 14. DISCIPLINARY ACTIONS TO BE CONSIDERED BY COMMITTEE AFTER DETERMINATION OF A VIOLATION OF THE CODE OF ETHICS:

NATIONAL ACADEMY OF FORENSIC ENGINEERS

A. Letter of Caution - A Letter of Caution shall be recommended by the Committee to the Board when the Respondent has been found to have committed a violation of the Code of Ethics but which the Committee determines does not warrant Expulsion, Suspension, Censure or Reprimand.

B. Letter of Reprimand - A Letter of Reprimand shall be recommended to the Board when the Respondent has been found to have committed a violation of the Code of Ethics by which the Committee determines does not warrant Expulsion, Suspension, or Censure.

C. Censure - Censure shall be recommended to the Board when the Respondent has been found to have committed a violation of the Code of Ethics by which the Committee determines does not warrant Expulsion or Suspension.

D. Suspension - Suspension shall be recommended to the Board when the Respondent has been found to have committed a violation of the Code of Ethics but which the Committee determines does not warrant Expulsion.

E. Expulsion - The Committee shall recommend Expulsion to the Board when a violation of the Code of Ethics does not warrant any of the lesser disciplinary actions.

Section 15. APPEAL TO THE BOARD BY RESPONDENT FROM THE COMMITTEE'S RECOMMENDATION - Within thirty (30) days of receipt of the Committee's final Report finding that a violation of the Code of Ethics has occurred, the Respondent may file a written appeal with the Board of Directors. Any written appeal must contain all statements or supporting information which will provide the Board with a full understanding of the basis of the appeal

ARTICLE VII

ACTIONS BY THE BOARD OF DIRECTORS

Section 1. At the next meeting of the Board of Directors, not less than sixty (60) days after receipt of a written Report from the Ethics Committee, the Board of Directors shall review the Report and all the materials submitted, including the Respondent's Appeal of the Committee's recommendation, if any, and the recommendation of the Committee, in a closed meeting, which the Ethics Committee, the Executive Director and the NAFE legal counsel may attend, and shall approve the recommendation of the Committee, reduce the recommended disciplinary action or reverse the findings based upon the appeal statement. Under no circumstances may the Board increase the recommended disciplinary action of the Committee. On reaching its decision on any Complaint after referral from the Committee, the Board shall base its decision on the record received from the Committee and the information contained in the Appeal by the Respondent, if any. Documentary evidence or other material not in the record shall not be considered by the Board in its decision.

Section 2. If the Board determines that a Letter of Caution is the proper form of discipline, the Respondent shall receive a letter from the President notifying the member of the violation and cautioning the member against future violations. A copy of the Letter shall be placed in the permanent files of the National Academy of Forensic Engineers. The Letter will be handled and filed on a confidential basis. The Complainant shall be sent a written statement by the President within fifteen (15) days of the Board's action indicating without specificity that the matter has been concluded.

NATIONAL ACADEMY OF FORENSIC ENGINEERS

Section 3. If the Board determines that a Letter of Reprimand is the proper form of discipline, the Respondent shall be notified within fifteen (15) days by letter (Certified Mail, Return Receipt Requested, marked “Personal and Confidential”) from the President of the National Academy of Forensic Engineers. A copy of the Letter of Reprimand shall be placed in the permanent files of the National Academy of Forensic Engineers. A Letter of Reprimand will be handled and filed on a confidential basis. If and when a member who has received a Letter of Reprimand is considered by the Academy for FELLOW, the Admissions Committee shall be notified of the fact that a Letter of Reprimand was issued, but said Letter shall not automatically disqualify a member from becoming a Fellow. The Complainant shall be sent a written statement by the President of the Board’s action indication without specificity that the matter has been concluded.

Section 4. If the Board determines that Censure is the proper form of discipline the Respondent shall be notified within fifteen (15) days by letter (Certified mail, Return Receipt Requested, marked “Personal and Confidential”) from the President of the National Academy of Forensic Engineers. A copy of the Letter of Censure shall be placed in the permanent files of the National Academy of Forensic Engineers. Letters of Censure shall be handled and filed on a confidential basis. A member who is censured shall cease to hold any elective office or appointive position thirty (30) days after the Letter of Censure is mailed to him or her and shall not be eligible to hold an elective office or appointive position in the Academy for a period of twelve (12) months from the date the Letter of Censure is mailed. A member who has been censured shall be permanently ineligible to become a Fellow in the National Academy of Forensic Engineers. The Complainant shall be sent a written statement by the President within fifteen (15) days of the board’s action indication without specificity that the matter has been concluded.

Section 5. If the Board determines that Suspension is the proper form of discipline, the Respondent shall be notified within fifteen (15) days by letter (Certified Mail, Return Receipt Requested, marked “Personal and Confidential”) from the President of the National Academy of Forensic Engineers. A member who is suspended from the Academy shall be removed from the membership roll at the earliest date after final action taken by the Board of Directors consistent with the provisions of these rules. A person who is suspended from the Academy shall be suspended for a definite period of time (i.e., 12 months, 2 years, etc.) or until a definite date. A person who is suspended from membership in the Academy may make written application for readmission to membership in the Academy after the period or time of suspension shall have ended. Academy dues for the fiscal year in which a member was suspended and for the fiscal year in which the person reapplies shall be paid in full before a suspended member shall be reinstated to membership in the Academy. Applications for re-affiliation by suspended members shall be submitted to the Board of Directors for approval. A suspended member shall forfeit any claim to any portion of his or her dues which has been paid for the fiscal year in which the suspension becomes effective. A suspended member shall cease to hold any elective office or appointive position effective as of the date of removal from the Academy’s membership rolls. A suspended member shall forfeit all rights, privileges, benefits and services provided members of the Academy during the period of the suspension. A suspended member shall be expected to return to Academy Headquarters not later than thirty (30) days after the effective date of suspension any Academy membership pins, Academy membership plaques or other Academy jewelry, insignia, stationery and envelopes, or identification then in his or her possession. Such articles may be returned to a suspended member by the Academy at such time as he or she may apply and be approved for readmission to membership in the Academy. A suspended member shall not in any way identify or otherwise indicate that he or she is a member of the Academy during the period of suspension or until he or she shall apply and be approved for readmission to membership in the Academy. A member who has

NATIONAL ACADEMY OF FORENSIC ENGINEERS

been suspended from membership in the Academy shall be permanently ineligible to become a Fellow of the National Academy of Forensic Engineers. The Complainant shall be sent a written statement by the President within fifteen (15) days of the Board' action indicating without specificity that the matter has been concluded.

Section 6. If the Board determines that Expulsion is the proper form of discipline, the member shall be expelled from the Academy and shall be removed from the membership rolls at the earliest date, and shall be notified within fifteen (15) days by the President in writing (Certified Mail, Return Receipt Requested, marked "Personal and Confidential). An expelled member shall cease to hold any elective office or appointive position effective as of the date of removal from the Academy's membership rolls. An expelled member shall forfeit any claim to any portion of his or her dues which have been paid for the fiscal year in which the expulsion becomes effective. An expelled member shall forfeit all rights, privileges, benefits and services provided to members of the Academy. An expelled member shall be permanently barred from readmission to membership in the Academy. An expelled member shall be expected to return to Academy Headquarters not later than thirty (30) days after the effective date of expulsion any Academy membership pins, Academy membership plaques or other Academy jewelry, insignia, stationery and envelopes, or identification then on his or her possession. An expelled member shall not in any way identify or otherwise indicate that he or she is a member of the Academy. The Complainant shall be sent a written statement by the President of the Board's action within fifteen (15) days of such action.

Section 7. The written findings of the board of Directors shall be considered final.

Section 8. The Board may submit any information obtained during a disciplinary process which results in a determination of Expulsion from NAFE to any other entity or authority who may have concurrent jurisdiction over the alleged violation.

Section 9. Disciplinary actions of the Board of Directors which result in a determination of Expulsion from NAFE shall be published in the Newsletter of the Academy.

ARTICLE VIII

DISCIPLINE AFTER STATE BOARD OF ENGINEERING REGISTRATION ACTION.

Section 1. This Article shall apply to all cases in which the member's State Board of Engineering registration has disciplined an NAFE member.

Section 2. Upon receipt of a final order from the member's State Board of Engineering Registration indicating an NAFE member has been disciplined, the Executive Director shall forward the order to the Ethics Committee for consideration at its next regularly scheduled meeting. The Committee shall consider the order and shall determine whether there is probable cause to believe a violation of the Code of Ethics violation has not occurred. If a determination is made that there has been no violation of the Code of Ethics, then the member shall be immediately notified and the NAFE file shall be closed on the matter.

NATIONAL ACADEMY OF FORENSIC ENGINEERS

Section 3. If the Committee determines that there is probable cause to believe a violation of the Code of Ethics has occurred, the Committee shall direct the Executive Director to send the accused member a Letter by Certified Mail, Return Receipt Requested, explaining the following, that;

- A. The Committee has found probable cause to believe a violation of the Code of Ethics has occurred.
- B. The Committee seeks to utilize the investigation material obtained by the State Board of Engineering Registration in its investigation.
- C. The member may consent to the use of the member's State Board of Engineering investigation material. If the member does not consent to the use of the investigative material of the State Board of Engineering Registration, the final reporting of the State Board disciplining the member shall be deemed as prima fascia evidence of a violation of the Code of Ethics under this Policy.
- D. Upon receipt of permission to use the member's State Board of Engineering Registration investigative material, a Hearing will be scheduled to consider the member's case.
- E. During the Hearing, the Committee will proceed according to the procedures for hearings set forth in Article VI of the NAFE procedures, and final action by the Board shall be in accordance with Article VII of the NAFE procedures.
- F. If the member does not appear at the Hearing, the NAFE will impose sanctions commensurate with the violation and the discipline imposed by the State Board of Registration.

Modified July 25, 1995

[Click to Return
to Application
Page 13](#)

NATIONAL ACADEMY OF FORENSIC ENGINEERS

PROFESSIONAL POLICY 2 THE NATIONAL ACADEMY OF FORENSIC ENGINEERS' POSITION ON PUBLISHING CODES, REGULATIONS, OR STANDARDS

The NAFE does not originate, approve or distribute Codes*, Regulations or Standards but does encourage participation of its members and affiliates in processes leading to adoption of standards or guidelines affecting the practice of Forensic Engineering. The NAFE believes that standards and guidelines which affect Forensic Engineering should encourage the application of engineering competence and judgment based on engineering education and experience. NAFE did so indicate in its Amicus Curiae brief to the United States Supreme Court in the Kumho case. The NAFE brief was cited by the U. S. Supreme Court in its decision. Reference is also made to the “Guidelines for the P. E. as a Forensic Engineer”, originally published by the National Society of Professional Engineers in 1980 and republished by NAFE in 2001.

Prescriptive standards and guidelines are likely to be incomplete in scope or to emphasize trivialities which the experienced Forensic Engineer would consider as moot. The use of prescriptive standards and guidelines as a test of expert qualification or as to the admissibility of expert testimony by Forensic Engineers may be misleading, and is discouraged.

* The NAFE does subscribe to and endorse the National Society of Professional Engineers Code of Ethics.

History: Drafted by M. M. Specter, P.E., L.S., F. NSPE and Michael
 Kravitz, P.E. 06/11/05 Adopted by Board of Directors on July 9,
 2005, superseding OP-8

NAFE
Incorporation
Certificate

COPY

Commonwealth of Virginia



STATE CORPORATION COMMISSION

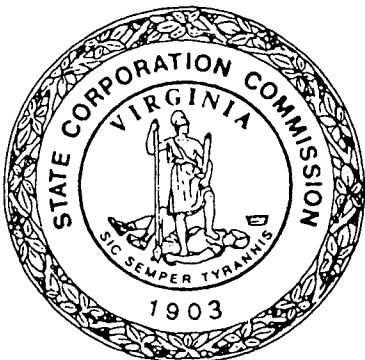
[Click to Return to
Application Page 3](#)

Richmond, January 13, 1988

This is to Certify that the certificate of incorporation of

NATIONAL ACADEMY OF FORENSIC ENGINEERS

*was this day issued and admitted to record in this office
and that the said corporation is authorized to transact its
business subject to all the laws of the State applicable to the
corporation and its business.*



State Corporation Commission

George W. Bryant, Jr.
Clerk of the Commission

NAFE
2015 Financial Statements

2: NAFE Profit & Loss Summary Previous Year Comparison

National Academy of Forensic Engineers

Profit & Loss

01/13/16

January through December 2015

Accrual Basis

	Jan - Dec 15	Jan - Dec 14
Ordinary Income/Expense		
Income		
Application Fees	3,200.00	3,900.00
Initiation & Upgrade Fees	0.00	200.00
Interest Income (Dividends)	119.51	167.56
Membership Dues	87,872.80	80,500.00
Miscellaneous Income		
Late Fees, Income #	25.00	25.00
Meals (Bkfst, Blun, Din) Income #	12,580.00	14,267.56
Seminar Income #	72,500.00	126,515.00
Total Miscellaneous Income	85,105.00	140,807.56
Publication Sales	2,350.75	2,113.25
Uncategorized Income	0.00	95.00
Total Income	178,648.06	227,783.37
Gross Profit	178,648.06	227,783.37
Expense		
Board of Directors		
Mtg Room & Refreshments (BOD)	24,354.91	518.11
Printing, BOD Hdbk, incl Ship	10,755.03	11,177.31
Travel, BOD Mtgs, to/from (BOD)	11,018.73	4,552.46
Total Board of Directors	46,128.67	16,247.88
Education Chairman, Office Exp		
Office Supplies (EdChm)	0.00	1,085.54
Postage & Shipping (EdChm)	190.03	853.69
Travel Exp (EdChm)	1,762.26	3,282.65
Total Education Chairman, Office Exp	1,952.29	5,221.88
Executive Director		
Contract Fee	73,300.00	73,300.00
Stipend (ExecDir)	0.00	5,833.33
Travel (ExecDir)	806.65	2,573.29
Total Executive Director	74,106.65	81,706.62
Headquarters Exp		
Office Exp (H/Q)		
Office Supplies (H/Q)	139.95	284.86
Postage & Shipping (H/Q)	177.03	430.99
Telephone (H/Q)	0.00	1,669.21
Total Office Exp (H/Q)	316.98	2,385.06
Office Rent & Storage (H/Q)	0.00	4,160.00
Headquarters Exp - Other	0.00	1,150.00
Total Headquarters Exp	316.98	7,695.06
Journals		
Editing (Journals)	24,166.69	8,333.35
Printing & Mailing (Journals)	49,203.81	22,496.16
Total Journals	73,370.50	30,829.51
Newsletters		
Editing (Newsletters)	3,000.00	3,000.00
Total Newsletters	3,000.00	3,000.00

2:48 PM

National Academy of Forensic Engineers

01/13/16

Profit & Loss

Accrual Basis

January through December 2015

	Jan - Dec 15	Jan - Dec 14
Other Expenses		
Advertising	4,422.00	1,999.50
Bank Charge	7,063.43	4,302.31
CESB, Annual Dues	5,300.00	7,800.00
Computer Software, Maint	0.00	119.40
Insurance	2,535.04	1,565.00
Miscellaneous Exp	3,650.63	2,685.00
Plaques, Awards & Gifts	200.46	1,617.23
Print & Publication Exp (Other)	4.10	0.00
Prof Services, Accout & Legal	1,718.00	2,905.00
Total Other Expenses	24,893.66	22,993.44
Public Relations		
Copy & Printing (PR & Sem Asst)	0.00	33.10
Total Public Relations	0.00	33.10
Secretary, Office Exp	0.00	354.04
Seminar Exp #		
Meals		
Meals, Bkfst, Exp	3,112.91	6,670.73
Meals, BLun, Exp	9,495.02	4,270.28
Meals, Din, Exp #	17,499.38	6,628.18
Meals - Other	1,984.38	8,758.97
Total Meals	32,091.69	26,328.16
Meeting Room, AV Equip	2,470.69	2,115.00
Print Handout Mtls, Handbooks	592.38	0.00
Refreshments, AM & PM	0.00	428.70
Stipend, Registration Asst	3,515.40	0.00
Seminar Exp # - Other	0.00	552.48
Total Seminar Exp #	38,670.16	29,424.34
Strategic Planner	0.00	6,000.00
Treasurer, Office Exp		
Copy & Printing (Treas)	0.00	68.27
Office Supplies (Treas)	137.56	93.46
Postage & Shipping (Treas)	67.62	56.12
Total Treasurer, Office Exp	205.18	217.85
Total Expense	262,644.09	203,723.72
Net Ordinary Income	-83,996.03	24,059.65
Other Income/Expense		
Other Expense		
Ask My Accountant	0.00	668.14
Total Other Expense	0.00	668.14
Net Other Income	0.00	-668.14
Net Income	-83,996.03	23,391.51

3: NAFE Balance Sheet as of December 31, 2015

2:48 PM

01/13/16

Accrual Basis

National Academy of Forensic Engineers

Balance Sheet

As of December 31, 2015

	Dec 31, 15
ASSETS	
Current Assets	
Checking/Savings	
1st Bank Checking	96,989.11
1st Bank Liquid Asset	62,260.86
Total Checking/Savings	159,249.97
Accounts Receivable	
Accounts Receivable	45,730.00
Total Accounts Receivable	45,730.00
Total Current Assets	204,979.97
Fixed Assets	
Property & Equipment, Computers	682.00
Total Fixed Assets	682.00
TOTAL ASSETS	205,661.97
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	18,935.00
Total Accounts Payable	18,935.00
Total Current Liabilities	18,935.00
Total Liabilities	18,935.00
Equity	
Unrestricted Net Assets	270,723.00
Net Income	-83,996.03
Total Equity	186,726.97
TOTAL LIABILITIES & EQUITY	205,661.97

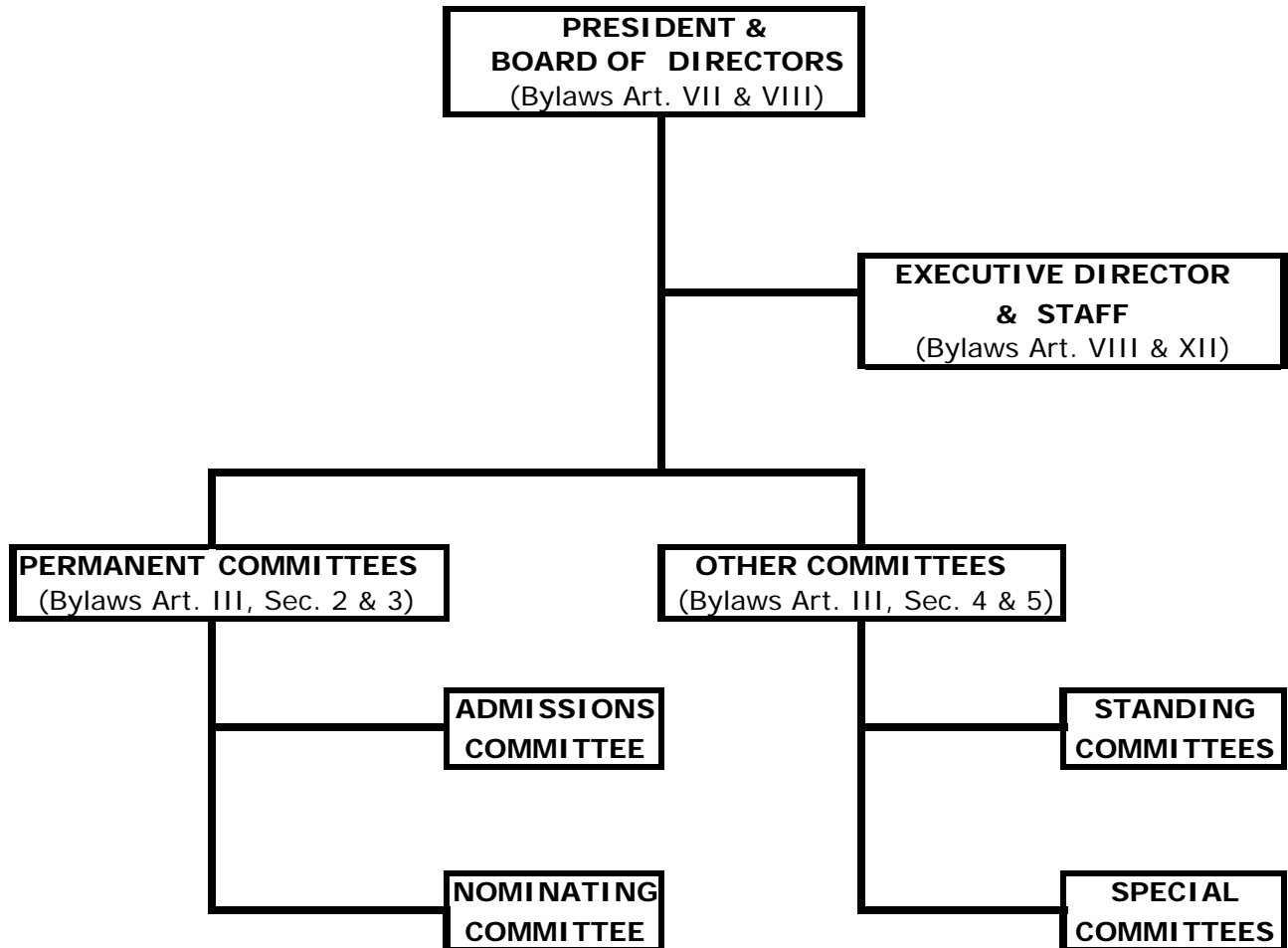
[Click to Return to
Application Page 4](#)

NAFE

Organizational Chart

NATIONAL ACADEMY OF FORENSIC ENGINEERS

ORGANIZATION CHART



[Click to Return to
Application Page 5](#)

NAFE

Body of Knowledge

National Academy of Forensic Engineers

BODY OF KNOWLEDGE

The body of knowledge with which NAFE members are particularly concerned, as reviewed by National Society of Professional Engineers (NSPE) General Council Arthur Schwartz, Esq., included the following verbiage and was adopted by the NAFE Board of Directors at the July, 1991 meeting:

“Forensic engineering is the application of the art and science of engineering in matters which are in, or may possibly relate to the jurisprudence system, inclusive of alternative dispute resolution.”

The mechanism for determination of competence and acceptability of applicants in respect to this specialty area complies with CESB General Guidelines, Section 4, et al, and CESB Supplemental Guidelines for Professional Engineer Specialty Certification Programs, Sections 1 and 3, et al, as may be seen from the NAFE Application for Membership (3 pages, sample copy attached) and the NAFE Reference Reply form (2 pages, copy attached). In addition to verified current Professional Engineering licensing and verified current NSPE and national technical engineering society memberships, the NAFE requires that applicants reveal a panoply of experience in total engineering practice, in the specialized practice of forensic engineering, in case preparation, and in the voir dire (adversary questioning of witness qualifications) and the subsequent testimony, all under oath subject to adversary cross-examination. Each criterion is treated as *sine qua non*. Failure to meet any one criteria prevents acceptance of the candidate.

As part of the requirements above, each applicant is required to provide reference information on the Reference Reply forms with preference to those from litigation

attorneys. Certain other recommenders familiar with the candidate's work as a practicing forensic engineer are also allowed, but about 95% of the references originate from attorneys. The other recommenders allowed are certified general adjusters (a very responsible, though very small segment of the insurance industry) or from accepted members of the NAFE in an equal or higher member grade. These lawyers and the other recommenders are the direct "public" of the NAFE candidates and are the "consumers" of their work product. They are first hand witnesses to the "cutting edge" interaction of the NAFE candidates with the judges and jurists who, as representatives of the public at large, ultimately evaluate their competence and credibility. We believe that this continuing flow of information, and the inputs thus received, provide the NAFE with an unsurpassed source and verity of input from public and consumers, amply meeting the intent of the CESB guidelines.

The NAFE does not use written examination for candidate evaluation. The typical candidate has twenty to forty years of practice beyond the level of professional engineering licensure. This experience includes requirements for specialized practice as is indicated above. It is the strong consensus of NAFE members that their effectiveness can only be measured by their preparation for and participation in the process of adversary examination under oath in the jurisprudence system which they must reveal in their candidacy for NAFE acceptance.

[Click to Return to Application Page 6](#)

[Click to Return to Application Page 7](#)

Updated: April 11, 2016

Sample NAFE Membership Application

National Academy of Forensic Engineers

Click to Return
to Application
Page 10

Chartered Affinity Group of the National Society of Professional Engineers (NSPE)
Charter Member of the Council of Engineering and Scientific Specialty Boards (CESB)

1) Application for Member grades

The National Academy of Forensic Engineers (NAFE) was founded to bring together those professional engineers who have attained substantial experience and recognition in forensic engineering practice. It seeks to improve the practice, elevate the standards, and advance the cause of forensic engineering.

NAFE ADMISSIONS MATRIX

Admittance:	Application	Application Fee	References	E.I.T. (Engineering Intern) or PhD in Engineering	Engineering License (US or Canadian PE)	NSPE Membership	National / International Technical Society Membership	Years of Engineering Experience (Min)	Years of Forensic experience (Min)	Forensic Engineer Case Preparation (Min)	Court Room Testimony (Min)
Board Certified Diplomate											
Fellow	General	N/A	4	N/A	Required	Required	Required	20	15	50	10
Senior Member		\$125	3	N/A	Required	Required	Required	12	5	10	5
Member		\$125	2	N/A	Required	Required	Required	5	2	2	2
Non-Board Certified Diplomate											
Associate Member	General	\$125	2	Only 1 is Required		Required	Required	4	2	2	N/A
Correspondant Affiliate	Affiliate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
International Affiliate		N/A	N/A	N/A	N/A	N/A	Required	N/A	Required (No Min)	N/A	N/A
Student Affiliate		N/A	N/A	N/A	N/A	Required	N/A	N/A	N/A	N/A	N/A

The four Member grades are: Associate Member, Member, Senior Member, and Fellow. The application fee for or upgrade to these membership levels is \$125, which will be charged upon completion of this form. Dues charges will be billed following NAFE application review and admission.

If you do not qualify for a Member grade in NAFE, click [HERE](#) for the Affiliate application.
If you re are already in NAFE and want to upgrade, click [HERE](#) for the Upgrade application.

** ITEMS IN **BOLD TEXT** MUST BE COMPLETED! **

2) Personal Data

Last Name	<input type="text" value="Curtis"/>	First Name	<input type="text" value="Elmer"/>	Middle Name	<input type="text" value="Ross"/>
Honors (PE, PhD)	<input type="text" value="P.E."/>	Email	<input type="text" value="curtiseng@frontier.com"/>	Birth Date	<input type="text" value="Nov"/> <input type="text" value="10"/> <input type="text" value="1942"/>
Are you currently a NAFE Affiliate or Member?		<input type="text" value="Senior Member"/>			
If yes, what is your number and grade?		<input type="text" value="571S"/>			
Apply or upgrade to:		<input type="text" value="Fellow"/>			

3) Contact Info

Company	<input type="text" value="Curtis Engineering"/>
Address Line 1	<input type="text"/>
Address Line 2	<input type="text" value="1123 Cannon Hill Road"/>

City	<input type="text" value="Hedgesville"/>	State or Province	<input type="text" value="WV"/>
Postal Code	<input type="text" value="25427-5612"/>	Country	<input type="text" value="United States"/>
Business Phone	<input type="text" value="(304) 754-5560"/>	Home Phone	<input type="text"/>
		Mobile Phone	<input type="text"/>

Contact Preference ☒ Email

☐ US Postal Service

Journal Preference ☐ Download (color)

☐ Hardcopy (black/white)

4) Required Info - all Member grades - Upload 4 files

Please upload these 4 files as a jpg, pdf, bmp, gif, or word.doc

Upload NSPE member card image

Upload PE or EI card image

Upload technical society member card image

Upload Curriculum Vitae

(If the upload buttons above do not work, see footnote below)

Number of years Forensic Engineering practice

Number of depositions

Number of trials - testimony subject to cross-examination

Number of forensic cases prepared for litigation

5) References

Applicants must provide references per the above matrix: 2 for Members and Associate Members, 3 for Senior Members, and 5 for Fellows. References must be individuals with **personal knowledge** of the applicant's forensic engineering skills. References may be **attorneys, licensed claims adjusters, or full NAFE members**. Do not use business partners. In addition to filling in the fields below, it is your responsibility to download the PDF reference form [HERE](#) and provide it to each reference along with a stamped envelope addressed to:

Arthur Schwartz
NAFE Executive Director
1420 King Street
Alexandria, VA 22314-2794

List reference name, city, state/province,
email, phone number -
ONE REFERENCE PER LINE

e.g. Ay Turney, Miami, FL, a.turney@laferm.com, 321/555-1000

6) Trial Testimony (Members, Senior Members, and Fellows)

Applicants for full Member grades must list trial testimony experience as an expert witness. Per the above matrix, Members must have testified 2 times, Senior Members 5 times, and Fellows 10 times.

List case caption (abbreviated is OK), venue, date. A word.doc or pdf is OK

Terms and Confirmation

In applying for membership in the National Academy of Forensic Engineers (NAFE), I understand that NAFE membership depends upon successfully completing the specified NAFE requirements and accurately completing the NAFE application. I understand that the information in my records will be treated confidentially, except as otherwise provided by law, and following review by NAFE, I will be informed if I am accepted or rejected for NAFE membership. To the best of my knowledge, the information contained in this application is true, complete and accurate and is made in good faith. In the event I am accepted as a NAFE member, I agree to review and to abide by the NAFE Articles of Incorporation, NAFE Bylaws, NAFE Policies and Procedures, and the NSPE Code of Ethics, all of which are posted on the NAFE website, and that my failure to abide by those provisions could subject me to disciplinary action by NAFE. I understand that NAFE reserves the right to verify any and all information in this application and that any incorrect or misleading information submitted to NAFE now or in the future could subject me to disciplinary action by NAFE. In addition, I hereby agree (1) to indemnify and hold all NAFE members, trustees, officers, directors, examiners, agents and employees harmless for any liability arising out of any act(s), error(s), or omission(s) in connection with this application, NAFE membership, the grade given and/or the granting or issuance of, or failure to grant or to issue membership to me; (2) that any prescribed fee paid by me is not refundable; and (3) that any certificate granted or issued to me shall remain the property of the Academy.

Agreement ☐ I certify that all of the information above is correct to the best of my knowledge.

Agreement ☐ I understand that while an Associate Member I may only refer to myself professionally as an "Associate Member", and not as a "Member"

Agreement ☐ I agree with the above Terms.

*Upload buttons didn't work? Scan/email requested info to aschwartz@nafe.org, or fax attention of "NAFE Admissions" to 703/836-4875

[Click to Return to
Application Page 7](#)

NAFE Member Reference Form 2016



National Academy of Forensic Engineers

Chartered Affinity Group of the National Society of Professional Engineers
Charter Member of the Council of Engineering and Scientific Specialty Boards

Reference for _____

1. Please indicate your status:

- ☐ Attorney
- ☐ Judge
- ☐ General Adjuster
- ☐ NAFE member in grade of: _____

Please return this form to:

Arthur Schwartz, Executive Director
National Academy of Forensic Engineers
1420 King Street
Alexandria, VA 22314-2794

2. Name at least one state in which you are licensed or registered to practice engineering or law and your certificate number: _____

or certification as a General Adjuster: _____

3. Relationship to the applicant's forensic engineering practice _____

4. From _____ to _____

5. Based on your direct knowledge of applicant's forensic engineering practice, please comment on applicant's:

- (a) Integrity and moral character _____
- (b) Professional ethics _____
- (c) Professional conduct _____
- (d) Professional standing _____
- (e) Forensic engineering judgment _____

6. Do you know of any instance where the applicant was guilty of unethical or illegal conduct? If yes, state circumstances

7. Your business, profession and title _____

8. In your judgment, do you consider the applicant is qualified for recognition as a Forensic Engineer (please see below)

9. Name (print or type) _____

Signature _____

NATIONAL ACADEMY OF FORENSIC ENGINEERS

The National Academy of Forensic Engineers (NAFE) was founded to bring those professional engineers who have attained substantial experience and recognition in forensic engineering practice. It seeks to improve the practice, elevate the standards, and advance the cause of forensic engineering.

Membership in the Academy is open to registered professional engineers who present verifiable experience and qualified references for their forensic engineering practice and who are deemed to satisfy the further membership criteria of the Academy. Members are required to have and to maintain membership in the National Society of Professional Engineers and in a major nationally recognized engineering technical society, so that they shall be exposed to the best current thinking and developments in the professional, ethical, and technical areas.

The three classes of membership are:

1. MEMBER -- Five (5) years engineering experience. Acceptable experience in the practice of forensic engineering of not less than two (2) years; acceptable experience in case preparation as a forensic engineer of not less than two (2) cases; and qualified as an Expert Witness in court, of not less than two (2) cases.

2. SENIOR MEMBER -- Twelve (12) years engineering experience. Acceptable experience in the practice of forensic engineering of not less than five (5) years; acceptable experience in case preparation as a forensic engineer of not less than ten (10) cases; and qualified as an Expert Witness in court, of not less than five (5) cases.

3. FELLOW -- Twenty (20) years engineering experience. Acceptable experience in the practice of forensic engineering of not less than fifteen (15) years; acceptable experience in case preparation as a forensic engineer of not less than fifty (50) cases; and qualified as an Expert Witness in court, of not less than ten (10) cases.

NOTE: This form may be reproduced for submittals by References. Please use and attach a supplementary sheet if needed.

[Click to Return to
Application Page 7](#)

NSPE

Code of Ethics

Code of Ethics for Engineers

Preamble

Engineering is an important and learned profession. As members of this profession, engineers are expected to exhibit the highest standards of honesty and integrity. Engineering has a direct and vital impact on the quality of life for all people. Accordingly, the services provided by engineers require honesty, impartiality, fairness, and equity, and must be dedicated to the protection of the public health, safety, and welfare. Engineers must perform under a standard of professional behavior that requires adherence to the highest principles of ethical conduct.

I. Fundamental Canons

Engineers, in the fulfillment of their professional duties, shall:

1. Hold paramount the safety, health, and welfare of the public.
2. Perform services only in areas of their competence.
3. Issue public statements only in an objective and truthful manner.
4. Act for each employer or client as faithful agents or trustees.
5. Avoid deceptive acts.
6. Conduct themselves honorably, responsibly, ethically, and lawfully so as to enhance the honor, reputation, and usefulness of the profession.

II. Rules of Practice

1. Engineers shall hold paramount the safety, health, and welfare of the public.
 - a. If engineers' judgment is overruled under circumstances that endanger life or property, they shall notify their employer or client and such other authority as may be appropriate.
 - b. Engineers shall approve only those engineering documents that are in conformity with applicable standards.
 - c. Engineers shall not reveal facts, data, or information without the prior consent of the client or employer except as authorized or required by law or this Code.
 - d. Engineers shall not permit the use of their name or associate in business ventures with any person or firm that they believe is engaged in fraudulent or dishonest enterprise.
 - e. Engineers shall not aid or abet the unlawful practice of engineering by a person or firm.
 - f. Engineers having knowledge of any alleged violation of this Code shall report thereon to appropriate professional bodies and, when relevant, also to public authorities, and cooperate with the proper authorities in furnishing such information or assistance as may be required.
2. Engineers shall perform services only in the areas of their competence.
 - a. Engineers shall undertake assignments only when qualified by education or experience in the specific technical fields involved.
 - b. Engineers shall not affix their signatures to any plans or documents dealing with subject matter in which they lack competence, nor to any plan or document not prepared under their direction and control.
 - c. Engineers may accept assignments and assume responsibility for coordination of an entire project and sign and seal the engineering documents for the entire project, provided that each technical segment is signed and sealed only by the qualified engineers who prepared the segment.
3. Engineers shall issue public statements only in an objective and truthful manner.
 - a. Engineers shall be objective and truthful in professional reports, statements, or testimony. They shall include all relevant and pertinent information in such reports, statements, or testimony, which should bear the date indicating when it was current.
 - b. Engineers may express publicly technical opinions that are founded upon knowledge of the facts and competence in the subject matter.
 - c. Engineers shall issue no statements, criticisms, or arguments on technical matters that are inspired or paid for by interested parties, unless they have prefaced their comments by explicitly identifying the interested parties on whose behalf they are speaking, and by revealing the existence of any interest the engineers may have in the matters.

4. Engineers shall act for each employer or client as faithful agents or trustees.
 - a. Engineers shall disclose all known or potential conflicts of interest that could influence or appear to influence their judgment or the quality of their services.
 - b. Engineers shall not accept compensation, financial or otherwise, from more than one party for services on the same project, or for services pertaining to the same project, unless the circumstances are fully disclosed and agreed to by all interested parties.
 - c. Engineers shall not solicit or accept financial or other valuable consideration, directly or indirectly, from outside agents in connection with the work for which they are responsible.
 - d. Engineers in public service as members, advisors, or employees of a governmental or quasi-governmental body or department shall not participate in decisions with respect to services solicited or provided by them or their organizations in private or public engineering practice.
 - e. Engineers shall not solicit or accept a contract from a governmental body on which a principal or officer of their organization serves as a member.
5. Engineers shall avoid deceptive acts.
 - a. Engineers shall not falsify their qualifications or permit misrepresentation of their or their associates' qualifications. They shall not misrepresent or exaggerate their responsibility in or for the subject matter of prior assignments. Brochures or other presentations incident to the solicitation of employment shall not misrepresent pertinent facts concerning employers, employees, associates, joint venturers, or past accomplishments.
 - b. Engineers shall not offer, give, solicit, or receive, either directly or indirectly, any contribution to influence the award of a contract by public authority, or which may be reasonably construed by the public as having the effect or intent of influencing the awarding of a contract. They shall not offer any gift or other valuable consideration in order to secure work. They shall not pay a commission, percentage, or brokerage fee in order to secure work, except to a bona fide employee or bona fide established commercial or marketing agencies retained by them.

III. Professional Obligations

1. Engineers shall be guided in all their relations by the highest standards of honesty and integrity.
 - a. Engineers shall acknowledge their errors and shall not distort or alter the facts.
 - b. Engineers shall advise their clients or employers when they believe a project will not be successful.
 - c. Engineers shall not accept outside employment to the detriment of their regular work or interest. Before accepting any outside engineering employment, they will notify their employers.
 - d. Engineers shall not attempt to attract an engineer from another employer by false or misleading pretenses.
 - e. Engineers shall not promote their own interest at the expense of the dignity and integrity of the profession.
2. Engineers shall at all times strive to serve the public interest.
 - a. Engineers are encouraged to participate in civic affairs; career guidance for youths; and work for the advancement of the safety, health, and well-being of their community.
 - b. Engineers shall not complete, sign, or seal plans and/or specifications that are not in conformity with applicable engineering standards. If the client or employer insists on such unprofessional conduct, they shall notify the proper authorities and withdraw from further service on the project.
 - c. Engineers are encouraged to extend public knowledge and appreciation of engineering and its achievements.
 - d. Engineers are encouraged to adhere to the principles of sustainable development¹ in order to protect the environment for future generations.

3. Engineers shall avoid all conduct or practice that deceives the public.
 - a. Engineers shall avoid the use of statements containing a material misrepresentation of fact or omitting a material fact.
 - b. Consistent with the foregoing, engineers may advertise for recruitment of personnel.
 - c. Consistent with the foregoing, engineers may prepare articles for the lay or technical press, but such articles shall not imply credit to the author for work performed by others.
4. Engineers shall not disclose, without consent, confidential information concerning the business affairs or technical processes of any present or former client or employer, or public body on which they serve.
 - a. Engineers shall not, without the consent of all interested parties, promote or arrange for new employment or practice in connection with a specific project for which the engineer has gained particular and specialized knowledge.
 - b. Engineers shall not, without the consent of all interested parties, participate in or represent an adversary interest in connection with a specific project or proceeding in which the engineer has gained particular specialized knowledge on behalf of a former client or employer.
5. Engineers shall not be influenced in their professional duties by conflicting interests.
 - a. Engineers shall not accept financial or other considerations, including free engineering designs, from material or equipment suppliers for specifying their product.
 - b. Engineers shall not accept commissions or allowances, directly or indirectly, from contractors or other parties dealing with clients or employers of the engineer in connection with work for which the engineer is responsible.
6. Engineers shall not attempt to obtain employment or advancement or professional engagements by untruthfully criticizing other engineers, or by other improper or questionable methods.
 - a. Engineers shall not request, propose, or accept a commission on a contingent basis under circumstances in which their judgment may be compromised.
 - b. Engineers in salaried positions shall accept part-time engineering work only to the extent consistent with policies of the employer and in accordance with ethical considerations.
 - c. Engineers shall not, without consent, use equipment, supplies, laboratory, or office facilities of an employer to carry on outside private practice.
7. Engineers shall not attempt to injure, maliciously or falsely, directly or indirectly, the professional reputation, prospects, practice, or employment of other engineers. Engineers who believe others are guilty of unethical or illegal practice shall present such information to the proper authority for action.
 - a. Engineers in private practice shall not review the work of another engineer for the same client, except with the knowledge of such engineer, or unless the connection of such engineer with the work has been terminated.
 - b. Engineers in governmental, industrial, or educational employ are entitled to review and evaluate the work of other engineers when so required by their employment duties.
 - c. Engineers in sales or industrial employ are entitled to make engineering comparisons of represented products with products of other suppliers.
8. Engineers shall accept personal responsibility for their professional activities, provided, however, that engineers may seek indemnification for services arising out of their practice for other than gross negligence, where the engineer's interests cannot otherwise be protected.
 - a. Engineers shall conform with state registration laws in the practice of engineering.
 - b. Engineers shall not use association with a nonengineer, a corporation, or partnership as a "cloak" for unethical acts.
9. Engineers shall give credit for engineering work to those to whom credit is due, and will recognize the proprietary interests of others.
 - a. Engineers shall, whenever possible, name the person or persons who may be individually responsible for designs, inventions, writings, or other accomplishments.
 - b. Engineers using designs supplied by a client recognize that the designs remain the property of the client and may not be duplicated by the engineer for others without express permission.
 - c. Engineers, before undertaking work for others in connection with which the engineer may make improvements, plans, designs, inventions, or other records that may justify copyrights or patents, should enter into a positive agreement regarding ownership.
 - d. Engineers' designs, data, records, and notes referring exclusively to an employer's work are the employer's property. The employer should indemnify the engineer for use of the information for any purpose other than the original purpose.
 - e. Engineers shall continue their professional development throughout their careers and should keep current in their specialty fields by engaging in professional practice, participating in continuing education courses, reading in the technical literature, and attending professional meetings and seminars.

Footnote 1 "Sustainable development" is the challenge of meeting human needs for natural resources, industrial products, energy, food, transportation, shelter, and effective waste management while conserving and protecting environmental quality and the natural resource base essential for future development.

As Revised July 2007

"By order of the United States District Court for the District of Columbia, former Section 11(c) of the NSPE Code of Ethics prohibiting competitive bidding, and all policy statements, opinions, rulings or other guidelines interpreting its scope, have been rescinded as unlawfully interfering with the legal right of engineers, protected under the antitrust laws, to provide price information to prospective clients; accordingly, nothing contained in the NSPE Code of Ethics, policy statements, opinions, rulings or other guidelines prohibits the submission of price quotations or competitive bids for engineering services at any time or in any amount."

Statement by NSPE Executive Committee

In order to correct misunderstandings which have been indicated in some instances since the issuance of the Supreme Court decision and the entry of the Final Judgment, it is noted that in its decision of April 25, 1978, the Supreme Court of the United States declared: "The Sherman Act does not require competitive bidding."

It is further noted that as made clear in the Supreme Court decision:

1. Engineers and firms may individually refuse to bid for engineering services.
2. Clients are not required to seek bids for engineering services.
3. Federal, state, and local laws governing procedures to procure engineering services are not affected, and remain in full force and effect.
4. State societies and local chapters are free to actively and aggressively seek legislation for professional selection and negotiation procedures by public agencies.
5. State registration board rules of professional conduct, including rules prohibiting competitive bidding for engineering services, are not affected and remain in full force and effect. State registration boards with authority to adopt rules of professional conduct may adopt rules governing procedures to obtain engineering services.
6. As noted by the Supreme Court, "nothing in the judgment prevents NSPE and its members from attempting to influence governmental action . . ."

Note: In regard to the question of application of the Code to corporations vis-a-vis real persons, business form or type should not negate nor influence conformance of individuals to the Code. The Code deals with professional services, which services must be performed by real persons. Real persons in turn establish and implement policies within business structures. The Code is clearly written to apply to the Engineer, and it is incumbent on members of NSPE to endeavor to live up to its provisions. This applies to all pertinent sections of the Code.



**National Society of
Professional Engineers®**

1420 King Street
Alexandria, Virginia 22314-2794
703/684-2800 • Fax: 703/836-4875
www.nspe.org

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NAFE Admissions Committee Report



1420 King Street
Alexandria, VA 22314-2794

Tel: 703-684-2845
Fax: 703-836-4875

WWW.NAFE.ORG

To: John Leffler
From: Mike Leshner
Date: June 1, 2016
Subject: Admissions Committee Report

Since January 1, 2016, the following applications have been submitted and processed:

	New	Upgrades
Correspondents	11	0
Associate Members	3	2
Members	3	0
Senior Members	2	2
Fellows	0	1
Total new dues-payers	19	
Under review	3	1

Respectfully submitted
Michael D. Leshner, PE

[Click to Return to
Application Page 10](#)