

**Report on a Case by the Board of Ethical Review Case No. 61-7****Subject:****Exhibit at School Convention**

Canon 1-Canons of Ethics; Canon 2-Canons of Ethics; Canon 3- Canons of Ethics;  
Rule 3-Rules of Professional Conduct; Rule 5- Rules of Professional Conduct.

**Facts:**

A state association of members of local school boards provides for displays at their annual convention. The exhibits are primarily taken by producers and distributors of products and materials which are used in the construction or operation of the schools. Engineering and architectural firms in the state have been invited to participate in such exhibits, paying for the exhibit space and providing their own material for the displays and personnel to explain their services to those attending the convention.

**Question:**

Is it ethical for an engineer in private practice to participate in the exhibit and prepare and staff a booth explaining his services and qualifications for possible use by school authorities?

**References:**

Canons of Ethics-Canon 1- "The engineer will cooperate in extending the effectiveness of the engineering profession by interchanging information and experience with other engineers and students and by contributing to the work of engineering societies, schools and the scientific and engineering press."

Canon 2-"He" will not advertise his work or merit in a self-laudatory manner and he will avoid all conduct or practice likely to discredit or do injury to the dignity and honor of his profession."

Canon 3-"The engineer will endeavor to extend public knowledge of engineering, and will discourage the spreading of untrue, unfair and exaggerated statements regarding engineering."

Rules of Professional Conduct-Rule 3-"He should seek opportunities to be of constructive service in civic affairs and work for the advancement of the safety, health and well-being of his community."

Rule 5-"Circumspect advertising may be properly employed by the engineer to announce his practice and availability. The form and manner of such advertising shall satisfy in all respects the dictate and intent of the Canons. Only those media shall be used as are necessary to reach directly an interested and potential client or employer, and such media shall in themselves be dignified, reputable and characteristically free of any factor or circumstance that would bring disrepute to the profession or to the professional using them. The substance of such advertising shall be limited to fact and

shall contain no statement or offer intended to discredit or displace another engineer, either specifically or by implication."

**Discussion:**

From the facts stated, the major purpose of the engineers' exhibit is to demonstrate his qualifications and knowledge to hopefully interest school officials in retaining his services for future school construction or improvement of existing schools in areas of work involving engineering services.

Canon 1 is directed primarily to the duty of the professional engineer to give those within the profession the benefit of his knowledge and experience in order that the profession, as a whole, may advance its services in the public interest. Canon 3 and Rule 3 enunciate the individual engineer's responsibility for public service.

In the circumstances of this case Canon 1, Canon 3 and Rule 3 are not applicable.

The purpose of the exhibit is, in effect, an advertisement and must, accordingly be governed by the Canons and Rules applicable to professional advertising. This Board has previously stated some guiding principles and examples to determine whether advertising permitted by Canon 2 and Rule 5 is self-laudatory and circumspect. (See Cases 59-1 and 60-1.) Assuming that the exhibit here in question does not offend those restrictions and guidelines, the sole question for decision is whether an exhibit at an association of school officials and school board members is a media which is "necessary to reach directly an interested and potential client. . . ."

In a strict sense, no media of communication is "necessary," and certainly engineers can and -do thrive without resort to particular media of communication of the availability of their services. We would read the language more in the sense of the appropriateness of the media. School officials and school board members have an unquestioned need for information on the diverse engineering talents which are employed in the most efficient design and construction of schools. The presentation of such information to school officials is, therefore, appropriate and within the permissible limits of the Canons and Rules, provided, of course, that the operation and substance of the exhibit or display is not self-laudatory, and is dignified and circumspect in tone and content.

**Conclusion:**

An engineer in private practice may present an exhibit at a convention of school officials within the ethical limitations governing its substance, content and operation.

Board of Ethical Review L. R. DURKEE, P. E. PHIL T. ELLIOTT, P. E. MARVIN C. NICHOLS, P. E. EZRA K. NICHOLSON, P. E. PIERCE G. ELLIS, P. E., Chairman

Note: Member Nichols concurs in the majority opinion as being consistent with the Canons and Rules under the facts as stated. However, he does not favor such exhibits by engineers as they tend to discredit the dignity of the profession.

**Dissenting Opinion-Discussion:**

The majority opinion "assumes" that the exhibit does not offend the restrictions and guidelines set forth in Canon 2, Rule 5 and earlier -statements of this Board. From the facts given above it is obvious that a highly commercialized medium is to be used. It is doubtful that visual and oral aids employed in the exhibits could be maintained "circumspect, etc.," thus would tend to discredit the dignity of the profession. Since other effective media and contacts are available, it seems inappropriate to either condone or encourage the use of exhibit booths.

**Dissenting Opinion-Conclusion:**

Engineers in private practice should refrain from presenting exhibits at a convention of school officials as they tend to discredit the dignity of the profession. –

A. C. KIRKWOOD, P. E.

Note: Member W. S. Nelson did not participate in the consideration or decision of this opinion.