

# DAPE



# NEWS

## PRESIDENT'S MESSAGE

BY CARMINE BALASCIO, PH.D., P.E.

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### NCEES Founding Member of Alliance for Promotion of Licensure in Engineering and other Highly Technical Professions

In the last newsletter, in which I discussed initiatives that Delaware Association of Professional Engineers (DAPE) Council has undertaken to expand recognition of international engineering credentials, I mentioned the 2014 Supreme Court decision in the case of the North Carolina State Board of Dental Examiners v. Federal Trade Commission<sup>1</sup>. The North Carolina Dental board had acted on complaints by dentists in the state about tooth whitening services being offered by non-dentists by issuing a cease and desist order to the unlicensed purveyors of the services. The Federal Trade Commission (FTC) challenged the actions of the state dental board, a majority of whom actively practice in the dental profession. An administrative law

judge issued a ruling, ultimately upheld by the Supreme Court, that the North Carolina board's actions "constituted an unreasonable restraint of trade and a method of unfair competition."<sup>2</sup> In its affirmation of the ruling, the Supreme Court held that state occupational licensing boards that are primarily composed of actively practicing members of the profession regulated by the board are not exempt from antitrust law unless they are actively supervised by the state<sup>1</sup>. Continued Page 2

### ETHICS WEBINAR TUESDAY MAY 12, 2020

DAPE is offering its members the opportunity to participate in an **ETHICS WEBINAR** (that's right, we said "Webinar") on Tuesday May12, 2020 (8:30 – 11:30 a.m.). Presenter Nadine Nasser Donovan, Esq. from SEAK, Inc. will be covering the following topics:

- Ethics and the Law of Negligence and Professional Negligence
- Ethic Issues for Consulting Professional Engineers
- Professional Liability Insurance

The registration deadline is April 21, 2020. We'll be limiting registration to 200 participants, but plan to schedule a 2<sup>nd</sup> date if needed. Remember, before you can renew your license (our renewal window will be open between May 1, 2020 and June 30, 2020), you must meet your CPC requirements, including between 3-6 hours of training in the area of engineering ethics.

Email [kathy@dape.org](mailto:kathy@dape.org) to reserve your spot.

## President's Message *(Continued from Page 1)*

The decision encouraged libertarian-leaning elements in state legislatures to launch attacks on licensure in a host of occupations and professions including, but not limited to, accounting, architecture, locksmithing, acupuncture, hair-braiding, and engineering. The libertarian perspective maintains that the market will regulate the practice of such occupations and professions through litigation and development of non-government certifications that can guide a public that lacks the expertise to choose proficient practitioners of the services it needs<sup>3</sup>. The problem is that in high-stakes, highly technical professions such as engineering or medicine many people may suffer dire consequences in such an uncertain process.

The National Council of Examiners for Engineering and Surveying (NCEES) of which DAPE is a member is the organization that provides the Fundamentals of Engineering (FE) exams and the Principles and Practices of Engineering (P&PE) exams. NCEES also maintains the professional records system that helps promote license mobility for so many of you who are licensed in multiple states. NCEES has joined a consortium of other technical professions in founding an organization that promotes the benefits of *professional* licensure<sup>4</sup> and a recognition that licensure of *professionals* in "highly complex, technical professions that are relied upon to protect public safety and enhance public trust"<sup>5</sup> is different from occupational licensure in general.

"The Alliance for Responsible Professional Licensing (ARPL) is composed of national associations that represent highly complex, technical professions, and their state licensing boards."<sup>5</sup> Member organizations are:

- The American Institute of Architects (AIA)
- American Institute of Certified Public Accountants (AICPA)
- American Society of Civil Engineers (ASCE)
- American Society of Landscape Architects (ASLA)
- The Council of Landscape Architectural Registration Boards (CLARB)
- National Association of State Boards of Accountancy (NASBA)
- National Council of Architectural Registration Boards (NCARB)
- National Council of Examiners for Engineering and Surveying (NCEES)
- National Society of Professional Engineers (NSPE)

In its statement of purpose:

*The Alliance for Responsible Professional Licensing (ARPL) promotes a responsible, balanced approach to professional licensing. We aim to educate policymakers and the public on the importance of high standards, rigorous education, and extensive experience within highly complex, technical professions that are relied upon to protect public safety and enhance public trust. We also look to offer best practices and solutions drawn from our experience to serve as models that work for the public and members of a given profession.*

*The Alliance advocates for licensing practices within professions that deliver uniform qualifications, standards, safety, and consistency, while also providing individuals with a clear career path and fair opportunities to pursue and maintain that career.<sup>5</sup>*

To learn more, I'd encourage you to visit the [ARPL web site](http://www.responsiblelicensing.org/).

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### Citations

1. U.S. Supreme Court. 13-534 North Carolina State Bd. of Dental Examiners v. FTC (02/25/2015). [https://www.supremecourt.gov/opinions/14pdf/13-534\\_19m2.pdf](https://www.supremecourt.gov/opinions/14pdf/13-534_19m2.pdf) (2015).
2. Wikipedia. [North Carolina State Board of Dental Examiners v. FTC](#). Wikipedia (2019).
3. Currie-Knight, K. Why Should Anyone Need a License for Anything? | Kevin Currie-Knight. <https://fee.org/articles/why-should-anyone-need-a-license-for-anything/> (2016).
4. Cox, David. Headquarters Update: NCEES joins new alliance to ensure public protection. [NCEES August Licensure Exchange](#) (2019).
5. Alliance for Responsible Professional Licensing. *Alliance for Responsible Professional Licensing* <http://www.responsiblelicensing.org/>.

## EXECUTIVE DIRECTOR'S MESSAGE

### BY JEN WOOTTEN

#### Business not quite as usual

Are you wondering how the COVID-19 pandemic has affected DAPE's operations? We have a small staff, and with an online application and renewal process, can continue to accomplish most of our daily tasks. DAPE is working on a few longer-term issues, such as planning for teleconference Committee and Council meetings that will remain open to the public, and a move towards more webinar training offerings for our members, beginning with our May 12 event. We post updates on our website in the "News" section, and will email our members as needed. As always, feel free to send your questions to [office@dape.org](mailto:office@dape.org).

As one of many PE exam testing sites in both the United States and internationally, DAPE takes our lead on exam administration from NCEES. Here is their latest update regarding the April 2020 PE Exam:

NCEES has been monitoring the coronavirus disease 2019 (COVID-19) and its potential impact on our programs and services for several weeks. With a pandemic officially declared for COVID-19, NCEES is taking the following actions to help contain and slow the spread of the virus.

#### **The April 2020 paper-and-pencil exam administration is canceled.**

- Examinees who are registered to take an exam during this administration will receive an automatic full refund of fees paid to NCEES.
- Exams offered only once a year during the April 2020 administration will be offered during the October 2020 administration.
- Registration dates for the October 2020 exam administration will be announced soon.
- Additional information will be emailed directly to affected examinees.

As a result of this news, DAPE will be sure we have capacity for a larger than usual group of examinees on October 23, 2020 (and we'll likely need new proctors too).

As you may know, DAPE began allowing "Decoupling" in July 2019. Briefly, this means that candidates that have met their education requirement may schedule the PE exam before completing their engineering experience requirement. Candidates that choose this path apply for a license after passing both the FE and PE exams (note that they still need to have their engineering experience verified and approved). At last count, approximately 20 states allow some variation of decoupling, and this list is expected to grow.

The Delaware law change went into effect just before the NCEES registration deadline for the October 2019 exam, so we only had a few candidates that choose this route. We've seen an uptick in interest since then. Although the April 2020 exam administration has been cancelled, we were expecting approximately 25 decoupling candidates to sit for the exam. While NCEES is collecting data nationally on the success rate of these candidates, DAPE will track data on our examinees as well, including success rate vs. years of experience prior to the exam.

#### PE RENEWAL/CPC REMINDER

This is a great time to log in to your DAPE account, to be sure the contact information that we have for you is up to date. We'll be sending out renewal reminders via email to the work email address listed on your account, as well as postcards to your home address. The renewal window will open on May 1, 2020. To avoid penalties, renewals must be complete before June 30, 2020. If you have any trouble accessing your account with your email/password, use this link:

<https://dape.org/Users/login/type:ProfessionalEngineer>

## WELCOME DELAWARE'S NEWEST PROFESSIONAL ENGINEERS

Council recently approved the licensure of 56 successful candidates that passed the October 2020 P&PE Exam (97 candidates took the exam). This list also includes several candidates that have passed a computer based exam in the last few months. Congratulations, and welcome to DAPE!

License	Name	License	Name
23420	Junaid Aamer	23280	Christopher Largy
23272	Taha Alam	23246	Trevor LeValley
23741	Hamed Amouzegar	21712	Andrew Madanat
20961	Philip Asabere	23553	Ryan Malin
23619	Jennifer Bristow	21795	Aaron Mapoy
22025	Evan Brodsky	24080	Alex Masoomian
22722	Matthew Burns	23825	Peter Matthews
22589	Andrea Carberry	22610	Jordan Matthews
23611	Chun Chan	21677	Brittany Meiring
21909	Wei Chen	23796	William Nash
20399	Laura-Ann Chin	23771	Wilmer Nauman
22162	Anthony Cicamore	22784	Danielle Notvest
23785	Brandon Coyne	20560	Sara Patterson
23275	Bradley Culver	19965	Jackson Peng
23589	Elena Dadukova	23334	Michael Perkins
23543	MariAnne Sullivan Davis	23806	Roberto Polanco
22637	Leah DeBenedictis	22760	James Puddicombe
23416	Albert DiMaria	23820	Matija Radovic
23499	Tyler Dolgos	23852	Emma Rakestraw
21968	Mark Edwards	23769	Andrew Skocypec
23711	Juan Flores Gonzalez	23770	Caitlin Skocypec
23640	Andrew Hak	23836	Matthew Sparacino
23764	Amanda Hess	21733	Joseph Spirk
23100	Michael Honeychuck	23265	Frank Sulpizio
23565	Sean Humphrey	24152	Zachary Tauber
22241	David Jaffe	23740	Daniel Taylor
23649	Brian Jedinak	23854	Thomas Thompson
21474	Juxhin Jupi	23364	Virginia Thornton
23684	Sonia Kappeler	22906	Matthew Tovinsky
23732	Jesse Kim	23155	Andrew Wells
22867	David Krygier	24349	David Winski
23753	Tyler Krechmer	23544	Ricky Wu

DAPE hosted many of these newly licensed engineers and their guests at the Delaware Engineering Society's annual Engineers Week banquet in Newark, Delaware, and presented them with their PE Certificates. Congratulations to all of our new Professional Engineers!

Congratulations also to 2020 Young Engineer of the Year Christopher Brendza, P.E. and the 2020 Engineer of the Year Ted C. Williams, P.E., as well as the many Delaware high school students/future engineers that received scholarships.

## 2020 COUNCIL ELECTIONS/BYLAWS REVISIONS

One of the things that sets DAPE apart from other regulatory boards across the nation is our ability to elect our Council representatives. The law specifically states the composition of the Council (engineering disciplines, fields of employment and representatives from each of its three counties). It also states that each year three members of Council shall be elected for a four-year term. In 2020, the open seats are:

**Mechanical Engineering Seat  
Sussex County Seat  
Education Seat**

Delaware law §2807 requires petitioners to be a citizen of the U.S., a resident of Delaware, a member of the Association, and be qualified to represent the constituency of the seat. DAPE's Council meets the second Wednesday of each month (6 meetings are at our office in New Castle County, 3 in Kent County, and 3 in Sussex County). If you meet these qualifications and are interested, please contact the DAPE office to obtain a petition, which is required to be filed by May 1, 2020. Electronic election ballots will be distributed to the membership on June 15th.

Voting members may also be asked to vote on proposed changes to our Bylaws at that time, since such revisions need to be approved via ballot by our members.

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### PUBLIC OUTREACH COMMITTEE UPDATE

Our Public Outreach Committee has set a goal of expanding DAPE's outreach program, with more technical training for our members, and sessions located throughout the State. Our November 2019 technical training was targeted at Civil engineers working with local building officials. This session included a panel discussion about how professional engineers and building officials can work together to improve communications.



Do you have topic ideas for future presentations, targeted towards professionals in a specific engineering discipline or industry? Please email ideas to [office@dape.org](mailto:office@dape.org).

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### DAPE DISTINGUISHED SERVICE AWARD



Congratulations to DAPE's 2020 Distinguished Service Award winner, William Balascio, P.E. (pictured on the left receiving his award from his brother/Council President/fellow long-time DAPE volunteer Carmine Balascio, Ph.D., P.E.).

Bill was issued his initial PE license here in Delaware in March 1998, and has been licensed in many jurisdictions since, including Puerto Rico, Massachusetts, New Jersey, North Carolina, Wisconsin, Pennsylvania, Maryland and California. He has a wide range of experience in Control Systems and Electrical Engineering, and currently serves as a Utilities

Process Control Engineer with DuPont.

Bill was elected to serve in the Electrical Engineering seat of DAPE's Council in 2011, and completed his second four-year term in 2019. He joined DAPE's Examining Committee in 2011 and chaired this committee for many years, in addition to chairing the Ad Hoc Committee that drafted DAPE's Continuing Professional Competency guidelines. Bill provided insight and guidance throughout the CPC Guidelines implementation and auditing process.

While we only presented one trophy at our annual Council & Committee appreciation dinner, we'd like to send our thanks to all of the council and committee members that volunteer their time and expertise to DAPE!



## NCEES FEEDBACK NEEDED

**Civil Engineers:** NCEES is seeking licensed civil engineers to participate in an online survey as part of the professional activities and knowledge study for the PE Civil exam. This survey will be used to update the specifications for the exam. [Follow this link for more information and to complete the survey.](#)

**Agricultural and Biological Engineers:** NCEES is currently seeking licensed agricultural and biological engineers to participate in a professional activities and knowledge study, or PAKS, for the PE Agricultural and Biological Engineering exam. The results of this online survey will be used to update specifications for the exam, which is used throughout the United States for licensing purposes. [Follow this link for more information and to complete the survey.](#)

## AD HOC LAW & ETHICS QUESTIONNAIRE COMMITTEE

DAPE's Council President appointed this Ad Hoc Committee to tackle the project of reviewing and updating the online law & ethics questionnaire which all Delaware PEs need to complete successfully prior to submitting an application. The Committee is working on adding some "Frequently Asked Questions" to the mix, to be sure that all of our licensees are familiar not only with the requirements to apply, but how to keep their license in good standing. The Committee will also be looking into turning the questionnaire into a "refresher course" for our current members. This will enable licensees to both gain needed CPC ethics hours, and keep up on our law/requirements, which change over time and may vary from members' resident jurisdictions.

## MEET THE DAPE STAFF



For those of you that like to put a face to a name, we'd like to introduce you to Kathy Davis (left) and Beth Baughman (right). Kathy joined DAPE in October 2017 as our Executive Assistant. While we all wear many hats here at DAPE, Kathy's specialty is ushering PE applicants through the process of becoming and remaining licensed in Delaware. Beth began working at DAPE part-time in June 2019 as our Administrative Assistant. Beth focuses on helping firms apply for and maintain their Certificate of Authorization. Just like the State of Delaware, DAPE is "small but mighty." We welcome your calls, emails and questions – please do not hesitate to reach out to us!

## MEMBER VOLUNTEER SPOTLIGHT: DAVE REINHOLD, P.E.

*Editor's Note: As a self-regulated professional board, DAPE depends on volunteer Committee and Council members. We've noticed that many of our members use their engineering skills in creative ways as volunteers not just for DAPE, but for a broad array of non-profit organizations that can benefit from the unique skills offered by engineers. To kick off this continuing series meant to highlight our members' volunteer work, we asked DAPE member Dave Reinhold, P.E. to share his recent experience as a volunteer with the Engineers Without Borders Delaware Chapter.*

### Engineers Without Borders Delaware Chapter: Experience Something Larger Than Yourself

Engineers Without Borders USA (EWB-USA) is a non-profit humanitarian organization established to design and implement engineering projects worldwide to help communities sustainably meet their basic human needs. EWB has over 230 chapters across the United States working directly with communities in 39 countries to address their self-identified needs. The EWB DE Chapter, founded in 2015, is the only professional chapter established in Delaware. Our chapter is working on a water supply project in

southern Kenya at Imurtot Primary School. This relationship was established through our partnership with the local non-governmental organization Water Is Life Kenya. As a self-funded organization, our project is made possible through the support of individual donors, grants, fundraisers, and corporate sponsorships.

Imurtot Primary School does not have a water supply. Students must walk up to several miles a day to collect water and bring it to school as part of a daily “human pipeline.” Water is collected from shallow wells and seasonal surface water sources, which do not meet drinking water standards. Additionally, most students have less than 1 liter of drinking water to ration for the entire day. Our project goal is to help mitigate the need for this “human pipeline,” and allow the students to focus on their education.

EWB DE identified rainwater catchment systems as the most effective, sustainable solution to address the school’s needs and provide over 200,000 liters of water storage on site. Our chapter travels twice a year on construction trips to build these rainwater systems. To date, we have successfully installed rainwater catchment systems on four different school buildings, providing the school with over 105,000 liters of water storage.



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“I can honestly say, no ten days  
of my life were better spent.”

Dave Reinhold, P.E.

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I was a member of the August 2019 implementation team trip and I can honestly say, no ten days of my life were better spent. The trip itself was a fantastic adventure with a much needed change of scenery and learning about a different culture. Ordinarily I am pulled in a hundred directions, but in Kenya I experienced singleness of purpose. I enjoyed fellowship with travel team and with new Kenyan friends. As a bonus the work allowed me to pick up a few new skills.

Some of the classrooms at Imurtot Primary School had dirt floors and all had simple wooden benches for furniture. Each had a single chalk board. There was no electricity for lights and no glass in the window openings. Interestingly, though, some of the chemistry, mathematics, and civics writings on these boards suggested advanced subject matters being taught at the primary school. These kids are learning!



**Dave Reinhold is on the left in this photo with the EWB DE Chapter/Water is Life Kenya team**

The people whose lives we impacted were truly warm and grateful. The experience definitely improved my perspective. I was humbled, inspired and satisfied all at once.

We are always looking for new members to join our chapter. There are a variety of ways to be involved including project designs, fundraisers, grants, networking, and forming partnerships with local organizations and businesses. Of course, if you do want to travel, we need folks for that too. We also get involved with Delaware-based activities like river cleanup and Habitat for Humanity and we are looking for a community project to support in Delaware.

Interested in helping? Email [ewbdelaware@gmail.com](mailto:ewbdelaware@gmail.com) or visit [www.ewbdelaware.org](http://www.ewbdelaware.org). Chapter meetings are typically the first Monday of each month in Newark, and interested volunteers are welcome to attend.

## 2019-2020 COUNCIL MEMBERS

 C. Balascio, P.E.	 D. Barbato, P.E.	 M. Clendaniel, P.E.	 N. Dean, P.E.	 W. Gamgort, Esq.
 R. Hayden, P.E.	 J. Jakubowski, P.E.	 J. Kalmbacher, P.E.	 M. Lennon, P.E.	 K. Maxson, P.E.
 C. McAllister, P.E.	 E. Retzlaff, P.E.	 M. Siwek, P.E.	 R. Smith, Esq.	 R. Wheatley

### COUNCIL EXECUTIVE COMMITTEE

Carmine Balascio, P.E., **President**  
 Joseph Jakubowski, P.E., LEED AP **Vice President**  
 Charles McAllister, P.E., **Secretary**  
 Michael Clendaniel, P.E., **Treasurer**  
 Soheil Gharebaghi, P.E., **Immediate Past President**

### COUNCIL STAFF

Jennifer Wooten, **Executive Director**  
 Kathy Davis, **Executive Assistant**  
 Beth Baughman, **Administrative Assistant**

### COUNCIL MEMBERS

Carmine C. Balascio, P.E., Education  
 Robert E. Hayden, P.E., Mechanical Engineering  
 Erik F. Retzlaff, P.E., Sussex County  
 Michael A. Clendaniel, P.E., Gov't Employment  
 Jeremy Kalmbacher, P.E., "Other" Engineering  
 Michael A. Lennon, P.E., Chemical Engineering  
 Robert C. Wheatley, Sussex Co. – Appointed  
 Daniel Barbato, P.E., New Castle County  
 Joseph Jakubowski, P.E., LEED AP, Civil Engineering  
 Karen Maxson, P.E., Industry  
 Ronald D. Smith, Esq., Kent Co. – Appointed  
 Nicholas Dean, P.E., Kent County  
 William Gamgort, Esq., New Castle Co. – Appointed  
 Charles L. McAllister, P.E., Private Consulting  
 Michael P. Siwek, P.E., Electrical Engineering

### TERM EXPIRES

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