# The National Academy of Forensic Engineers

Winter Conference 2024 Daytona Beach, Florida



#### **Board of Directors Book**

January 19, 2024

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## BOARD ORIENTATION



NAFE Board of Directors
Orientation

The Legal Responsibilities



# NAFE Mission – What we do

- Serving the public by advancing the ethical and professional practice of forensic engineering;
- Serving the jurisprudential system by certifying individuals having achieved expertise in forensic engineering;
- Serving Academy members and furthering the development of forensic engineers through education and the publication of peer-reviewed technical literature.

# Fundamental Legal Duties of Individual Board Member

Fundamental legal duties of each individual board member, which include:

- **Duty of Care** Each board member has a legal responsibility to participate actively in making decisions on behalf of the organization and to exercise his or her best judgment while doing so.
- **Duty of Loyalty** Each board member must put the interests of the organization before their personal and professional interests when acting on behalf of the organization in a decision-making capacity. The organization's needs come first.
- **Duty of Obedience** Board members bear the legal responsibility of ensuring that the organization complies with the applicable federal, state, and local laws and adheres to its mission.
- Duty to avoid Conflict of Interest

### Article VIII - Board Duties and Powers

- 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,
- to set fees for application and admission,
- 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.
- The Board shall annually determine the size and composition of the Board within the structure established in the Articles of Incorporation and fill Board vacancies as necessary.

## Governance Primer

Remember to review Governance
 Primer

- NAFE Governance Primer:
  - A Summary of Volunteer Leader Duties

## Your Board Experience

- Stay informed
- Be an engaged listener with an open mind
- Make decisions based on what is best for the association, not your personal preferences or interests
- Respect the Board's time
- Use common sense
- When in doubt ... ASK





#### NAFE Governance Primer:

#### A Summary of Volunteer Leader Duties

#### NAFE BOARD OF DIRECTORS

Association officers, directors, delegates, committee members, and others involved in an association's governance are often uncertain of their roles and responsibilities. And for good reason — some rights and obligations are determined by law, others by the association's articles of incorporation and bylaws, and still others by written policies and procedures or more informal arrangements.

The following brief is designed to clarify the delegation of duties; explain the fiduciary duties imposed by law on association officers, directors, and delegates; and suggest ways to protect volunteer leaders from personal liability.

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#### Roles and Responsibilities

#### **NAFE Board of Directors**

The NAFE Board of Directors (the "Board") is the governing body of the NAFE (the "association"), responsible for the ultimate direction of the management of the organization's affairs. The Board is responsible for policymaking, while employees (and to a certain extent, officers) are responsible for executing day-to-day management to implement Board-made policy. However, the ultimate legal responsibility for the actions (and inactions) of the association rests ultimately with the Board. The Board can act legally only by consensus (majority vote of a quorum in most cases) and only at a duly constituted and conducted meeting, or by unanimous written consent.

The Board may delegate authority to act on its behalf to others such as committees, but, in such cases, the Board is still legally responsible for any actions taken by the committees or persons to whom it delegates authority. An individual Board member has no individual management authority simply by virtue of being a member of the Board. However, the Board may delegate additional authority to a Board member, such as when it appoints Board members to committees. In a similar fashion, an officer has only the management authority specifically delegated in the bylaws or by the Board (although the delegated authority can be general and broad).

#### Committees

Committees have no management authority except for that delegated to them by the bylaws or by the Board. Furthermore, under most state nonprofit corporation laws, certain functions may not be delegated by the Board to committees. For example, in many states, the Board may not delegate to committees the power to elect officers, fill vacancies on the Board or any of its committees, amend the bylaws, or approve a plan of merger or dissolution.

#### **Employees**

Employees have no management authority except that specifically delegated to them in the bylaws or by the Board. For example, most associations' bylaws delegate to the chief staff executive the responsibility for the day-to-day operations of the association's office(s), including the responsibility to hire, train, supervise, coordinate, and terminate the professional staff of the association, as well as the responsibility for all staffing and salary administration within guidelines established by the Board.

#### Members

Members have no management authority, as such authority is held by the Board. However, some state nonprofit corporation laws generally reserve to members the right to remove officers and directors and to amend the association's articles of incorporation, among other rights. Under some associations' bylaws, certain matters, such as the amendment of the bylaws or the election of officers and directors, must be submitted to the membership for a vote. However, most other matters generally are not submitted to the full membership, but rather are handled by the Board, one or more of its committees, or the officers or employees of the association.

#### **Legal Duties**

#### Fiduciary Duty

Those in positions of responsibility and authority in the governance structure of an association — both volunteers who serve without compensation and employed staff — have a fiduciary duty to the organization, including duties of care, loyalty, and obedience. In short, this means they are required to act reasonably, prudently, and in the best interests of the organization, to avoid negligence and fraud, and to avoid conflicts of interest. In the event that the fiduciary

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duties of care, loyalty, or obedience are breached, the individual breaching the duty is potentially liable to the association for any damages caused to the association as a result of the breach. This fiduciary duty is a duty to the association as a whole; even those who serve only on a particular committee or task force owe the fiduciary obligation to the entire association.

#### **Duty of Care**

This duty is very broad, requiring officers and directors to exercise ordinary and reasonable care in the performance of their duties as well as exhibit honesty and good faith. Officers and directors must act in a manner that they believe to be in the best interests of the association and with the same level of care, including reasonable inquiry, as an ordinarily prudent person in a like position would use under similar circumstances. The "business judgement rule" protects officers and directors from personal liability for actions made in poor judgment, as long as there is a reasonable basis to indicate that the action was undertaken with due care and in good faith. The duty of care also imposes an obligation to protect any confidential information obtained while serving the association.

#### **Duty of Loyalty**

This a duty of faithfulness to the association. This means that officers and directors must give undivided allegiance to the association when making decisions affecting the association.

In other words, officers, directors and delegates cannot put personal interests, even the interests of any specific constituency they were elected or appointed to represent, above the interests of the association.

Personal interests may include outside business, professional, or financial interests; interests arising from involvement in other organizations; and the interests of family members, among others.

Officers and directors should be careful to disclose even potential conflicts of interest to the Board of directors, and should recuse themselves from deliberation and voting on matters in which they have personal interests. For pervasive and continuing conflicts — such as a director of the association concurrently serving on the Board of a competing association — resignation from the individual's association leadership post or from the outside conflicting responsibility may be required. Officers and directors can have business dealings with the association, but such transactions must be subject to considerable scrutiny. In such event, officers and directors must fully disclose any personal interests to the Board of directors, and the terms of any transaction must be fair to the association. In addition, state nonprofit corporation statutes frequently provide specific procedures for dealing with transactions in which officers or directors have conflicts of interest.

#### **Duty of Obedience**

This duty requires officers and directors to act in accordance with the organization's articles of incorporation, bylaws, and other governing documents, as well as all applicable laws and regulations.

#### **Conflict of Interest**

Beyond the general legal duties, the importance of avoiding actual and perceived conflicts of interest is well grounded in law. If anything, recent changes in the wake of the WorldCom, Enron and the 2008 Lehman Brothers bankruptcy and ensuing financial market collapse have placed even stricter standards of scrutiny on conflict of interest obligations. The Sarbanes-Oxley financial reform bill put additional enforcement provisions and higher penalties in place for violations of these standards. The IRS has intensified compliance and enforcement actions and adopted a zero-tolerance attitude towards conflicts of interest through changes in the annual tax filings that not-for-profit organizations like NAFE and its state associations must make.

Most people understand the most obvious forms of conflict of interest: where direct financial benefits are involved. It doesn't take a law degree to know that it would be wrong for a director of the association to participate in a board decision that would financially benefit him or her directly. For example, if the association were considering a major asset purchase and you owned an interest in one of the company's competing for that sale, you have a clear conflict of interest.

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But there are other, more subtle conflicts that can from time to time arise, and volunteer leaders have a legal duty as well as an ethical obligation to be sensitive to them.

#### **Duality of Interests**

The reason this is such an issue is that none of us, as individuals, live lives so narrowly focused or categorically compartmentalized as to avoid constantly carrying a multiplicity of legitimate demands for our loyalty. We are, each of us, a bundle of different interests: we owe the same duty of loyalty not only to NAFE, but also potentially to other organizations in which we are involved. We have a duty of loyalty to our employer, to the community organizations we are involved in, to the church, school and civic boards we serve on. The list goes on and on. It would be unreasonable to expect any individual to divest him or herself of any outside interests other than NAFE before allowing them to serve and impossible for any of us to comply if such a demand were made of us.

The good news is that while we all must live in a constant state of duality of interests (simultaneous duties of loyalty to two or more organizations), it is a relatively rare event when those dualities of interest actually come into conflict. Your obligations to your employer will very seldom if ever come into conflict with your obligations as a volunteer to NAFE. Even less often will your obligations to a community or civic organization come in conflict with your obligations to NAFE.

But it can happen. So you need to be aware and highly sensitive to the possibility of some specific issue or topic or action suddenly implicating two legitimate interests that demand your loyalty. When that situation occurs, you have a duty to both organizations to immediately make leadership aware so that conflict can be appropriately addressed and resolved.

That point is important enough to restate:

- Legitimate dualities of interest exist for each of us ... obligations to more than one organization that may or may not ever create an actual conflict.
- A duality of interest becomes a conflict whenever a volunteer has a direct or indirect interest, financial or otherwise, in the outcome of a matter involving NAFE.
- Whenever that occurs, the volunteer has a legal and ethical obligation to both organizations to bring that actual or perceived conflict to light, so that it can be appropriately resolved.

Remember, having a conflict of interest is not evidence of some moral shortcoming or ethical failure on your part. However, failing to act promptly to make leadership aware of the conflict so it can be appropriately addressed is a serious violation of your legal and ethical duties.

#### Remedies

When an actual or perceived conflict occurs, there are three remedies:

*Disclosure*. In a few cases, the conflict is so minor that simply disclosing it (and recording that disclosure in the official minutes) might be sufficient. For example, if the board was considering a large equipment purchase and you or your spouse owned a small amount of stock (a non-voting interest) in one of the company's competing for the sale, the board might very well determine that your financial interest is so small and your degree of control so slight that simply recording the disclosure in the minutes is enough.

**Recusal**. In a vast majority of cases, a conflict of interest is resolved by recusal --- or simply removing yourself from participating in any of the discussions or actions taken by the board or committee in a specific matter. Whenever the matter in which you have a conflict is discussed (including in any circulation of information in advance of the meeting), you are excused from the deliberations and leave the meeting.

**Resignation.** In a few, very rare cases, a conflict will arise that is so fundamental, you must make a choice. If you cannot, in good faith, serve the two masters simultaneously, you must resign from the service of one or the other. Again, such situations are rare, but there may be instances where one entity to whom you owe a duty of loyalty demands something from you that you cannot honor without violating your duty to another. For example, if you serve on one board that, for legitimate reasons, demands that certain proprietary information be kept confidential, but

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withholding that information would be damaging to another organization on whose board you serve, you cannot simultaneously honor both demands.

#### Who Decides?

One additional and very important point. The individual does not get to decide if a conflict exists or what an appropriate remedy would be. The board or other governing entity makes that call. Your duty, as an individual, is to fully and promptly disclose any actual or potential conflict and to abide by the collective decision of the board or committee as to its resolution.

Finally, it is important to remember that a board's action to cure a conflict of interest is not a reflection on your trustworthiness or character. It is not a question of whether you can be trusted to act in the best interests of the association ... the legal standard is whether a reasonable person, looking at the matter with no special or inside information, might reasonably find cause to doubt that the decision was made exclusively in the best interests of the association, uncolored by any outside or individual concerns, if you participated in it.

#### **Additional Considerations**

#### **Corporate Opportunities Doctrine**

The duty of loyalty specifically prohibits competition by an association officer or director with the association itself. While officers and directors generally may engage in the same "line of business" or areas of endeavor as the association, it must be done in good faith and without injury to the association. One form of competition that is not permitted, however, is appropriating "corporate opportunities." A corporate opportunity is a prospect, idea, or investment that is related to the association's activities or programs and that the individual knows, or should know, may be in the best interests of the association to accept or pursue. An association officer or director may take advantage of a corporate opportunity independently of the association only after it has been offered to, and rejected by, the association.

#### Reliance on Experts

Unless an officer or director has knowledge that makes reliance unwarranted, an officer or director, in performing his or her duties for the organization, may rely on written or oral information, opinions, reports, or statements prepared or presented by: (i) officers or employees of the association whom the officer or director believes in good faith to be reliable and competent in the matters presented; (ii) legal counsel, public accountants, or other persons as to matters which the officer or director believes in good faith to be within the person's professional or expert competence; or (iii) in the case of reliance by directors, a committee of the Board on which the director does not serve if the director believes in good faith that the committee merits confidence.

#### Willful Ignorance and Intentional Wrongdoing

Directors cannot remain willfully ignorant of the association's affairs. A director appointed as treasurer, for example, with limited knowledge of finance cannot simply rely on the representations and reports of staff or auditors that "all is well" with the association's finances. Moreover, officers and directors acting outside of or abusing their authority as officers and directors may be subject to personal liability arising from such actions. Furthermore, officers or directors who, in the course of the association's work, intentionally cause injury or damage to persons or property may be personally liable, even though the activity was carried out on the association's behalf.

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#### **Reducing Personal Liability Risk**

Association officers and directors can help minimize their risk of personal liability by doing the following:

- 1. Being thoroughly and completely prepared before making decisions;
- 2. Becoming actively involved in deliberations during Board meetings, commenting as appropriate, and making inquiries and asking questions where prudent and when such a need is indicated by the circumstances;
- 3. Making decisions deliberately and without undue haste or pressure;
- 4. Insisting that meeting minutes accurately reflect the vote counts (including dissenting votes and abstentions) on actions taken at meetings;
- 5. Requesting that legal consultation be sought on any matter that has unclear legal ramifications;
- 6. Requesting that the association's accountants assess and evaluate any matter that has significant financial ramifications;
- 7. Obtaining and carefully reviewing both audited and unaudited periodic financial reports of the association;
- 8. Attending the association's meetings and reading the association's publications carefully to keep fully apprised of the organization's policies and activities;
- 9. Reviewing from time to time the association's articles of incorporation, bylaws, and other governing documents; and
- Avoiding completely any conflicts of interest in dealing with the association and fully disclosing any potential conflicts.

#### **Liability Protection**

If preventive risk management fails, the liability of association officers and directors can be limited through indemnification by the association, insurance purchased by the association, and state volunteer protection laws.

#### **Apparent Authority**

In the landmark 1982 case, <u>American Society of Mechanical Engineers v. Hydrolevel</u>, the U.S. Supreme Court determined that an association can be held liable for the actions of its officers, directors, and other volunteers (including actions that bind the association financially), even when the association does not know about, approve of, or benefit from those actions, as long as the volunteer reasonably appears to outsiders to be acting with the association's approval (i.e., with its "apparent authority"). The Supreme Court made clear that associations are to be held strictly liable for the activities of volunteers who have even the apparent authority of the association. Even if an association volunteer does not in fact have authority to act in a particular manner on the association's behalf, the law will nevertheless hold the association liable if third parties reasonably believe that the volunteer had such authority. The law thus requires an association to take reasonable steps to ensure that the scope of its agents' (e.g., officers, directors, and committee members') authority is clear to third parties, and that agents are not able to hold themselves out to third parties as having authority beyond that which has been vested in them by the association — for example, by regulating access to association letterhead stationery.

#### **Antitrust**

Associations are subject to strict scrutiny under both federal and state antitrust laws. The Sherman Act, the principal federal antitrust statute, prohibits "contracts, combinations, or conspiracies ... in restraint of trade." By their very nature, associations are a "combination" of competitors, so one element of a possible antitrust violation is always present, and only some action by the association that unreasonably restrains trade needs to occur for there to be an antitrust violation. Consequently, associations are common targets of antitrust plaintiffs and prosecutors.

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The consequences for violating the antitrust laws can be severe. A conviction can carry stiff fines for the association and its offending leaders, jail sentences for individuals who participated in the violation, and a court order dissolving the association or seriously curtailing its activities. The antitrust laws can be enforced against associations, association members, and the association's employees by both government agencies and private parties (such as competitors and consumers) through treble (triple) damage actions. As the Sherman Act is a criminal conspiracy statute, an executive who attends a meeting at which competitors engage in illegal discussions may be held criminally responsible, even if he or she says nothing at the meeting. The executive's attendance at the meeting may be sufficient to imply acquiescence in the discussion, making him or her liable to as great a penalty as those who actively participated in the illegal agreement.

Common antitrust claims against associations include price-fixing (any explicit or implicit understanding affecting the price of a member's product or service is prohibited, even if the understanding would benefit consumers), group boycotts / concerted refusals to deal, customer allocation or territorial division, bid-rigging, and illegal tying arrangements. Antitrust-sensitive areas of association activity include membership restrictions, standard setting, certification and self-regulation, statistical surveys, and information exchange programs, among others.

To avoid antitrust liability, associations should adopt a formal antitrust compliance program, and this policy should be distributed regularly to all association officers, directors, committee members, and employees. The policy should require, among other conditions, that all association meetings be regularly scheduled — with agendas prepared in advance and reviewed by legal counsel — and that members be prohibited from holding "rump" meetings. Above all else, members should be free to make business decisions based on the dictates of the market — not the dictates of the association. Any deviation from this general principle, such as adoption of a Code of Ethics that infringes on members' ability to make fully independent business decisions, should be approved by legal counsel.

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#### **NAFE**

#### **Board of Directors**

**Key Rules of Order** 

and

**Parliamentary Procedure Primer** 

#### NAFE Board of Directors Key Rules of Order

- 1. The presiding officer shall rule on all questions pertaining to the NAFE Bylaws, rules of order, and interpretations of parliamentary procedure.
- 2. Individuals who desire to address the NAFE Board of Directors shall approach a microphone and wait to be recognized by the presiding officer. When recognized, the speaker shall give his or her name and affiliation. Each speaker shall address comments to the presiding officer.
- 3. In all cases, the maker of a motion or resolution shall be entitled to speak first. The presiding officer will then ask for those who wish to speak in favor and then those who wish to speak against the motion or resolution to address the board in alternating fashion. This procedure will continue until there are no persons desiring to speak on one side of the question or the other, at which time debate will cease and the issue will be voted on. The presiding officer may impose a reasonable time limit per speaker if circumstances warrant. The presiding office may also rule a speaker's comments to be redundant to those of prior speaker(s) and ask the current speaker to be seated.
- 4. A Consent Agenda may be presented to the board members for adoption without debate. Upon request of a single member, any item may be removed from the Consent Agenda for separate consideration and action by the NAFE Board of Directors as an item on the Main Agenda.
- 5. An affirmative vote of two thirds of votes cast by the NAFE Board of Directors present and eligible shall be required to adopt amendments to the NAFE Bylaws.
- 6. Motions proposed by committees, task forces, and the NAFE Board of Directors prior to the start of the Board Meeting do not need a second. These motions will be included in the meeting agenda. A motion proposed by a member does require a second.
- 7. Should any member have an emergency that requires early departure from the NAFE Board of Directors meeting, the member shall notify the NAFE Secretary.

#### NAFE Board of Directors Parliamentary Procedure Primer

Parliamentary procedures are necessary for the efficient conduct of a meeting and, when used properly, can make the meeting more productive and enjoyable. Below are some general guidelines for using parliamentary procedure during a NAFE Board of Directors Meeting.

#### What is parliamentary procedure and where did it come from?

Parliamentary procedure is merely a set of rules for the conduct of meetings. These rules, when effectively used, allow everyone attending the meeting to be heard and to participate in the decision-making process. This also helps eliminate confusion.

Parliamentary procedures originated in the early English Parliaments and were brought to America with the first settlers. In 1876, Henry M. Robert published these procedures as a uniform manual on parliamentary law. *Robert's Rules of Order Newly Revised* is widely used today by most professional associations and is the basic handbook for presiding officers.

#### Why is parliamentary procedure important?

Parliamentary procedure has become an essential tool in conducting meetings because:

- it allows for democratic rule, flexibility, protection of rights, and a fair hearing for all participants;
- it has been tested over the years and has proven successful; and
- it is adaptable to any organization

#### How do we use parliamentary procedure?

Parliamentary procedure is used in a variety of ways in planning and conducting meetings, most notably by preparing and following a set agenda, by establishing a quorum (the number of members that must be present for business to be conducted legally), and by making motions.

#### Motions

A motion is merely a proposal that the body takes a stand or takes action on some issue. Motions are presented, seconded, debated, and decided (by vote). There are four general types of motions: **main motions**, **subsidiary motions**, **privileged motions**, and **incidental motions**:

- Main motions introduce subjects to the body for its consideration. Main motions cannot be made while another motion is before the Board. Main motions yield to privileged, subsidiary, and incidental motions. An example of a main motion is, "I move that the NAFE Board of Directors approve the proposed NAFE Professional Policy..."
- Subsidiary motions are more commonly known as amendments. The purpose of a subsidiary motion is to change the main motion or affect how it is handled. The proposed amendment must relate to the subject as presented in the main motion. An example of a subsidiary motion is, "I move the proposed NAFE Professional Policy be amended by striking the word 'the' in the first sentence and replacing it with the word 'a'...."

- **Privileged motions** are most urgent and pertain to special or important matters not related to pending business. An example of a privileged motion is, "I move the NAFE Board of Directors adjourn..."
- **Incidental motions** involve issues of procedure that arise out of other motions. Incidental motions must be considered before the other motion. An example of an incidental is, "I move to suspend the rules for the purpose of...."

For a motion to be considered "in order", the motion must relate to the business at hand and be presented at the proper time. A motion must not be obstructive, frivolous or contrary to the NAFE Bylaws.

Most motions require a "second", i.e., an affirmation by another voting member of the NAFE Board of Directors to consider the motion. This practice prevents the body from spending time on a question that interests only one member.

One particular type of a Subsidiary Motion is a Substitute Motion. When a member wishes to offer a complete alternative to a main motion, that member gets recognized by the presiding officer and states the alternate motion that must be seconded. At this point the Board effectively has "dual main motions" and must determine which of the two alternatives will be ultimately acted upon. During the debate amendments to either motion (secondary amendments) may be entertained. Once all such amendments have been adjudicated the Board votes to select the motion to be acted upon, i.e. either the original Main Motion or the Substitute Motion.

Consider this scenario: A body owns a barn that it wishes to repaint. A motion is made and seconded to repaint the barn red within 30 days. Another member, not liking that color and sensing that 30 days is too short an interval, moves to substitute that the barn be repainted blue within 90 days. Now the body has "dual main motions" motions to consider. A supporter of the original motion, recognizing that 30 days may be too short, moves an amendment to change "30 days" to "60 days." This amendment is approved by the body, resulting in an amended Main Motion. A supporter of the Substitute Motion, recognizing that the amended Main Motion now makes it more appealing, moves an amendment to the Substitute Motion to reduce the interval from "90 days" to "60 days." This amendment is also approved. Now the body must vote on whether to consider the amended Main Motion or the amended Substitute Motion. After that vote is decided the body then finishes debate on the successful alternative, and the body votes that motion up or down.

The right to free and open debate is provided on most motions; some privileged and incidental motions are not debatable.

Most motions require only a simple majority vote, but motions concerning the rights of the Board or its members generally require a 2/3 majority vote for adoption.

Some motions can be re-debated and re-voted to give members an opportunity to change their mind. The "motion to reconsider" must come from a member who voted for the prevailing side.

#### Methods of voting on motions

There are five methods of voting to decide the outcome of motions: by voice, by a show of voting signs, by roll call, by ballot, and by general consent.

- Voting by voice is the most frequently used method at meetings. In this instance, the presiding officer asks those in favor to say "aye" and those opposed to say "no". This method is used only for motions that require a majority vote. The presiding officer rules as to which side of the motion has received the greater number of votes. Any member may move for an exact count.
- Voting by a show of voting signs is accomplished by the board members raising their voting cards and tallying the sum of the weighted votes for both sides. This method is frequently used to clarify the results of a voice vote.
- **Voting by roll call** is conducted if a record of each member's vote is needed. When voting by roll call, each member responds "yes" or "no" when his/her name is called. The weighted vote of each member is tallied to determine the result.
- Voting by ballot is used when secrecy is desired. In this type of voting, the members cast their votes on slips of paper or by computer. Again, the weighted votes of each voting member are tallied to determine the result.
- **Voting by general consent** is sometimes used when the motion is unlikely to be opposed. If someone objects to this method, the motion must be put to one of the types of vote described above.

In addition to the option of voting for or against an issue, a member may also abstain from voting (choose not to vote). When abstentions exist, the number of affirmative votes shall determine if a majority has been achieved to approve the proposed action.

A "motion to table" (lay on the table) is used to temporarily lay an issue aside to tend to a more urgent matter. The option to "take from the table" is always available to enable a body to reconsider the motion. This must occur before the adjournment of the current Board.

A "motion to postpone indefinitely" is a strategy to dispose of a motion without making a decision for or against. It is useful in the case of a badly chosen main motion for which either a "yes" or "no" vote would have undesirable consequences.

#### **Parliamentary Procedure Summary**

- 1. A motion must be on the floor before a topic is discussed. If a member starts to discuss something, the presiding officer must interrupt to ask "Does someone want to make a motion?" A motion is then made.
- 2. The presiding officer restates the motion and asks, "Is there a second?" Someone will generally second, but if no one seconds the motion, there cannot be discussion on the motion and it dies for lack of a second.
- 3. The presiding officer asks, "Is there any discussion? Would the maker of the motion like to speak to the motion?"
- 4. Individuals are then recognized by the presiding officer and allowed to speak in alternating order for or against the motion. Discussion must all relate to the topic of the motion.
- 5. The presiding officer asks "Is there any further discussion?" If there is no further discussion, the presiding officer will state "Hearing none the motion before the Board is as follows...."
- 6. The presiding officer then directs "All in favor of the motion say aye; all opposed to the motion say no." The motion carries or the motion fails.
- 7. Amendments to the main motion should be made prior to voting on the main (original motion).
- 8. Substitute Motions shall be handled as follows:
  - Main Motion to paint the barn red, motion seconded, discussion of the motion;
  - Substitute Motion to paint the barn blue, substitute motion seconded, discussion of substitute motion;
  - Discuss and perfect Main Motion and Substitute Motion concurrently;
  - Vote to replace Substitute Motion for Main Motion;
  - Vote on surviving Motion.

#### **Parliamentary Procedure at a Glance**

The following is a handy table for use at NAFE Board of Directors Meetings

Parliamentary Procedure At A Glance			Here are some motions you might make, how to make them, and what to expect of the rules.					
To Do This:	You Say This:	May You Interrupt the Speaker?	Do You Need a Second?	Is It Debatable?	Can It Be Amended?	What Vote is Needed?	Can It Be Reconsidered?	
ADJOURN MEETING	"I move to adjourn."	NO	YES	NO	NO	MAJORITY	NO	
CALL AN INTERMISSION	"I move to recess for"	NO	YES	NO <sup>1</sup>	YES	MAJORITY	NO	
CALL AN INTERMISSION  COMPLAIN ABOUT HEAT, NOISE, ETC.		YES	NO	NO	NO	NO VOTE	NO	
TEMPORARILY SUSPEND CONSIDERATION OFAN ISSUE	"I rise to a question of privilege."  "I move to lay the motion on the table."	NO	YES	NO	NO	MAJORITY	NO <sup>2</sup>	
END DEBATE AND AMENDMENTS	"I move the previous question."	NO	YES	NO	NO	2/3	YES <sup>3</sup>	
POSTPONE DISCUSSION FOR A CERTAIN TIME	"I move to postpone the discussion until"	NO	YES	YES	YES	MAJORITY	YES	
GIVE CLOSER STUDY OF SOMETHING	"I move to refer the matter to committee."	NO	YES	YES	YES	MAJORITY	YES <sup>4</sup>	
AMEND A MOTION	"I move to amend the motion by"	NO	YES	YES <sup>5</sup>	YES	MAJORITY	YES	
INTRODUCE BUSINESS	"I move that"	NO	YES	YES	YES	MAJORITY	YES	
THE MOTIONS LISTED ABOVE ARE IN ORDER OF PRECEDENCE BELOW, THERE IS NO ORDER								
PROTEST BREACH OF RULES OR CONDUCT	"I rise to a point of order."	YES	NO	NO	NO	NO VOTE <sup>6</sup>	NO	
VOTE ON A RULING OF THE CHAIR	"I appeal from the chair's decision."	YES	YES	YES	NO	MAJORITY	YES	
SUSPEND RULES TEMPORARILY	"I move to suspend the rules so that"	NO	YES	NO	NO	2/3	NO	
AVOID CONSIDERING AN IMPROPER MATTER	"I object to consideration of this motion."	YES	NO	NO	NO	2/37	YES <sup>2</sup>	
VERIFY A VOICE VOITE BY HAVING MEMBERS STAND	"I call for a division," or "Division!"	YES	NO	NO	NO	NO VOTE	NO	
REQUEST INFORMATION	"Point of information"	YES	NO	NO	NO	NO VOTE	NO	
TAKE UP A MATTER PREVIOUSLY TABLED	"I move to take from the table"	NO	YES	NO	NO	MAJORITY	NO	
RECONSIDER A HASTY ACTION	"I move to reconsider the vote on"	YES <sup>8</sup>	YES	YES <sup>9</sup>	NO	MAJORITY	NO	

#### NOTES:

<sup>&</sup>lt;sup>1</sup> Unless moved when no question is pending.
<sup>2</sup> Affirmative votes may not be reconsidered.
<sup>3</sup> Unless vote on question has begun.

<sup>&</sup>lt;sup>4</sup> Unless the committee has already taken up the subject. <sup>5</sup> Unless the motion to be amended is not debatable.

<sup>&</sup>lt;sup>6</sup>Unless the chair submits to the Board for decision.

<sup>&</sup>lt;sup>7</sup> A 2/3 vote in <u>negative</u> is needed to prevent consideration of the main motion.

<sup>8</sup> Only if the speaker has the floor but has not actually begun to speak.

<sup>9</sup> Unless the motion to be reconsidered is not debatable.

## MISSION STATEMENT



#### The Mission and Objectives of The National Academy of Forensic Engineers NAFE

#### Mission

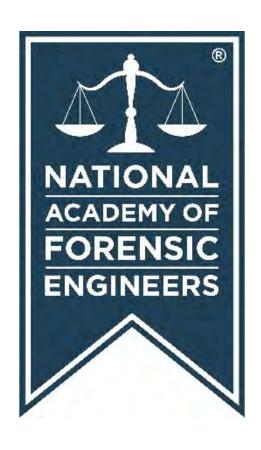
- Serving the public by advancing the ethical and professional practice of forensic engineering;
- Serving the jurisprudential system by certifying individuals having achieved expertise in forensic engineering;
- Serving Academy members and furthering the development of forensic engineers through education and the publication of peer-reviewed technical literature.

#### **Objectives**

The Objectives of NAFE are set forth in Article II of our Articles of Incorporation. These are:

- (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.

## MEETING AGENDA





1420 King Street Alexandria, VA 22314-2794

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

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#### **NAFE Board of Directors Meeting Agenda**

January 19, 2024 (Friday) 8:30 AM – 8:45 AM, Board Orientation 8:45 AM – 2:00 PM, Eastern Time 12:00 PM – 1:00 PM Lunch (on your own)

- 1. BOARD ORIENTATION Monika Schulz, Executive Director NAFE
- 2. CALL TO ORDER
- 3. ROLL CALL AND CONFIRMATION OF VIRTUAL ATTENDANCE
- 4. APPROVAL OF THE AGENDA

#### 5. CONSENT AGENDA

- 5.1 Minutes:
  - 5.1.1 NAFE Board of Directors Meetings dated July 14, 2023
  - 5.1.2 NAFE Membership Meeting dated July 15, 2023
  - 5.1.3 NAFE Board of Directors Meeting dated October 30, 2023
  - 5.1.4 NAFE Board of Directors Meeting dated January 9, 2024
- 5.2 Committee Reports:
  - 5.2.1 Admissions Pietropaolo
  - 5.2.2 Bylaws and Articles of Incorporation Gordon
  - 5.2.3 Conference Coordinator Couture
  - 5.2.4 Continuing Professional Development Leane
  - 5.2.5 Contract Documents Couture
  - 5.2.6 Education Alvi
  - 5.2.7 Ethics Sudler
  - 5.2.8 Finance Aitken
  - 5.2.9 Inspector of Elections and Audit Kravitz
  - 5.2.10 Insurance Couture
  - 5.2.11 Legislative Aitken
  - 5.2.12 Long Range Planning Janson
  - 5.2.13 Membership Aitken
  - 5.2.14 NAFE1 Peruzzi
  - 5.2.15 Nominating Sudler
  - 5.2.16 Public Relations Peruzzi
  - 5.2.17 Publications and Technical Review Kemper
  - 5.2.18 Website Leshner

5.2.19 Dis	cipline Specific
5.2.19.1	Accident Reconstruction - Railsback
5.2.19.2	Biomechanical and Biomedical - Lee
5.2.19.3	Civil-Structural - Storensund
5.2.19.4	Fire Investigation - Icove
5.2.19.5	Marine - Certuse
5.2.19.6	Products Liability – Metzler

(Motion to approve Consent Agenda)

6. DISCUSSION ON ANY ITEMS REMOVED FROM CONSENT AGENDA BY BOARD MEMBERS

#### 7. MAIN AGENDA

- 7.1 Officer Reports
  - 7.1.1 Executive Director Schulz
  - 7.1.2 Secretary Drebelbis
  - 7.1.3 Treasurer Wiers

7.1.3.1.1.1.1 Credit Card Payment Proposal (For Approval)

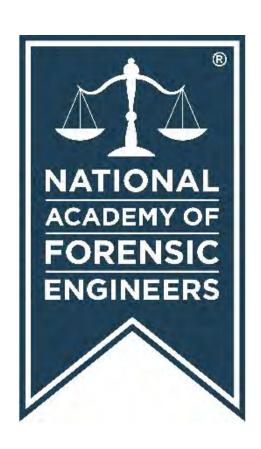
7.1.4 President - Leane

Motion to approve Officer Reports

- 7.2 Bylaws Committee Recommendation on Revisions (For Approval)- Gordon
- 7.3 Strategic Planning Update (For Approval) Leane
- 7.4 Membership Cultivate new members and retain current members (For Discussion) Aitken/Leane/Couture
- 7.5 Nominations Cultivate new leaders (For Discussion) Sudler/Leane

#### 8. ADJOURNMENT

# INTRODUCTION OF EXECUTIVE DIRECTOR





1420 King Street Alexandria, VA 22314-2794

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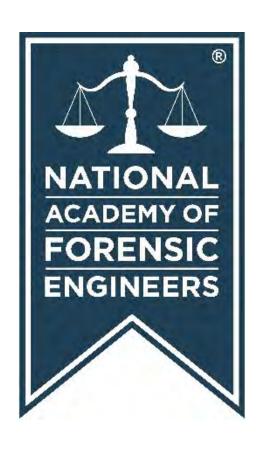
The NAFE Board of Directors is pleased to announce Amanda Hendley was confirmed to the position of Executive Director for the National Academy of Forensic Engineers (NAFE) on January 9, 2024. Amanda has an impressive professional background as a leader in the non-profit engineering and technology world that uniquely fits NAFE, and she will serve us well in the years to come,"

Ms. Hendley is an accomplished professional with over 17 years of experience in non-profit leadership and operations management, particularly in the science and technology sectors. She has a Bachelor of Science in Business from Georgia Institute of Technology with certifications in Marketing and Accounting. She began her career with the Technology Association of Georgia, serving in significant roles as the organization grew. Ms. Hendley eventually rose to the position of Chief Operating Officer for the organization, overseeing significant modernization and membership growth.

As the founder and CEO of Association Catalyst, LLC, Amanda serves membership and education organizations in the sciences industry. She also acts as the Executive Director of the Georgia Society of Professional Engineers and as Managing Editor of Planet Mainframe, an online publication.

Ms. Hendley will provide Executive Director services to NAFE. These services include, but are not limited to, administrative, accounting, membership management, communications and marketing, conference and event planning, advocacy and external relations, and Board of Directors support.

# PAST MEETING MINUTES





1420 King Street Alexandria, VA 22314-2794 Tel: 703-684-2845

Fax: 703-836-4875

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#### MINUTES OF BOARD OF DIRECTORS 2023 SUMMER MEETING IN KANSAS CITY, MO

7/14/2023

#### **BOARD ORIENTATION – Monika Schulz, Executive Director NAFE**

NAFE Legal duties – Monika Schultz

Duty of care

**Duty of Loyalty** 

**Duty of Obedience** 

Duy to avoid conflict of interest

**Governance Primer** 

**Obligations** 

Stay informed

Be engaged

Make decisions with the best interests of the Board

Use common sense

#### 2. CALL TO ORDER Joe Leane July 14 2023 10:10 am,

#### 3. ROLL CALL AND CONFIRMATION OF VIRTUAL ATTENDANCE

#### Board Members - Quorum present

Joseph Leane, PE, President

Steve Pietropaolo, PE, President-Elect

Michael Aitken, PE Senior Vice President

Tonja Koob Marking, PhD PE, Vice President

Bruce Wiers, PE, Treasurer

James R. Drebelbis, AIA, PE, Secretary

Daniel Couture, Peng, Director at Large

Robert Peruzzi, PhD, PE, Director at Large

Samuel Sudler, PE Past President (2022)

Liberty Janson, PE Past President (2021)

James Petersen, PE Past President (2020)

Non-Board members attendees

Monika Schultz

Michael Kravitz, PE

Michael Leshner, PE

Mitch Maifield, PE

Mike Stichter, PE

Zoe Alvi, PE

Ben Railsback, PE

Shawn Ray, PE

Ellen Parsons

Dave Icon, PE

Bart Kemper, PE

Michael Plick, PE

Greg Boso, PE

John Jacobson, PE

John Certues, PE

Luke Pachal, PE

Virtual Attendees: None

#### 4. APPROVAL OF THE AGENDA

Motion to approve the Agenda: Motion by Michael Aitken, second by Steve Pietropaolo, Carried Unanimous

#### 5. ITEMS TO BE REMOVED FROM CONSENT AGENDA

Consent Agenda for committee reports is a means of streamlining the process.

The following items are removed from the consent agenda to be individually discussed.

- 6.2.3 Conference Coordinator Couture
- 6.2.4 Continuing Professional Development Leane
- 6.2.6 Education Pietropaolo
- 6.2.9 Inspector of Elections and Audit Kravitz
- 6.2.12 Long Range Planning Janson
- 6.2.16 Public Relations Peruzzi
- 6.2.18 Website Leshner.

Motion to approve Consent Agenda with items removed from the Consent Agenda by Steve Pietropaolo, Second by Sam Sudler, Carried Unanimously.

#### 6. CONSENT AGENDA with items removed -

#### 6.1 Minutes:

- 6.1.1 NAFE Board of Directors Meetings dated January 6, 2023
- 6.1.2 NAFE Membership Meeting dated January 7, 2023
- 6.1.3 NAFE Board of Directors Meeting dated February 27, 2023

- 6.2 Committee Reports removed from the Consent Agenda for discussion (numbering of the discussion items relates to the Board of Directors Meeting Agenda:
  - 6.2.3 Conference Coordinator Couture. Due to problems with COVID and the hotel, Winter Conference did not make money. KC, MO is located in the middle of the country and thought to be central to more members. However, in a 500-mile radius from KC there are only 49 members. In planning conference locations, the Academy needs to think about the number of members located near to meeting locations. Issues to be considered in planning the conference are: 1. Location 2. Tech content 3. Educational content. The objective is to help all types of members to improve their practices. An assistant coordinator for the conferences is needed to take some of the workload and to develop the next coordinator. At the 2023 Summer Conference there are 8 or 9 First Timers and a few returners. Everyone is encouraged to meet and welcome first timers and returners. In order to get exposure to ideas and perspectives, we need to contact potential presenters from various disciplines.
  - 6.2.4 Continuing Professional Development Leane. As of July 1<sup>st</sup>,70 members were not current with 5-year total CPDs. The Academy needs to contact life members and confirm their desire to continue membership before removing their DFE certification. It is the job of the CPD committee to notify members of their non-compliant status. Coordinate non-compliant status with Mitch and Jim Drebelbis. In August, notices will be sent out to individuals who have not reported their CPDs to let them know their status as a DFE is in jeopardy.
  - 6.2.6 Education Pietropaolo. Professional speakers added to meeting. The committee negotiated a lower rate with SEAK as a speaker (minimum number of attendees for the presentation is 50). Steve Pietropaolo will be stepping down as Chairman of the Education Committee. Zoe Alvi is the potential replacement chairman.
  - 6.2.9 Inspector of Elections and Audit Kravitz. Michael Kravitz proposed disbanding the Audit Committee because no official audits have been conducted and the cost to audit prohibitive. Discussion comments:

Fiduciary requirement to audit.

The Board acts as the auditor.

Rename the Audit Committee as Financial Review Committee,

Objection noted to disbanding the Audit Committee but support of renaming the committee to the Financial Review Committee.

Current model works. NAFE procedure wherein the President approves expenditures and BoD reviews the Treasurer's report approximates the function of auditing.

The last audit occurred in 2019 and cost \$5,000.

Review of the budget serves as a review of expenses.

No action was taken to change the function of this committee.

- 6.2.12 Long Range Planning Janson. Long Range Plan will be consistent with and integrate the Strategic Plan and will consists of action items that support the intent of the Strategic Plan.
- 6.2.14 NAFE1 Peruzzi. Conversation pro/con has occurred regarding using NAFE1 for Job offers. Robert Peruzzi stated that using NAFE1 for solicitation or selling services is not the purpose of the list service but he considers NAFE1 should be used for anything that helps members, such as posting open positions, seeking assistance, and announcing opportunities that are not solicitation or selling services.
- 6.2.16 Public Relations Peruzzi. Let the committee know of professional accomplishments. There is a distinction between an individual and the Academy providing an opinion regarding significant failures and engineering issues. PR issues may provide material for Educational presentation.
- 6.2.18 Website Leshner. Everything that the Academy does relates to the website. Mike Sticter has recently become involved in the committee. More people involved in the committee are encouraged but the committee needs to clearly define the scope of an individual's involvement.

11:50am Break for Lunch.

#### 7. MAIN AGENDA

Resume at 12:50pm

- 7.1 Officer Reports
  - 7.1.1 Executive Director Schulz.
  - 7.1.2 Secretary Drebelbis

A Director at Large petition and endorsements was received for Ben Railsback.

Current Director at Large Robert Peruzzi did not submit the requisite endorsements to be able to continue in the Director role. Liberty Janson expressed concern about the BOD having a leadership meeting and making contract decisions, i.e., appointing Robert Peruzzi, without including the membership. The Bylaws allow the President to appoint a Director at Large if there is only one Director at Large. Director at Large not required but is allowed to include Members (that is, individuals who have not attained Sr Member status) onto the board. Per Article 8 of the By Laws, the Board approves nomination of Robert Peruzzi as a Director at Large motion by Sam Sudler Second by Steve Pietropaolo.

7.1.3 Treasurer – Wiers. Revenue stream is stable. Expenses are lower but revenue has not been as high as ideal. Need more than 3 months but would like 6 months of cash in bank. Monica Schulz noted that the "industry standard" is to operate with 6 to 12 months of cash on hand. Midyear is the low revenue period, vs higher in later year. Fee to NSPE is upcoming which will draw down funds. To generate funds and determine the number of attendees to conference to facilitate planning and negotiation, we could initiate an earlier "early bird" date for conference sign-up.

7.1.4 President – Leane. 2023 Winter Conference was held in San Antonio. Committee work is vital to the organization. As of 7/13/23, prior to the 2023 Summer Conference, the Strategic Plan was initiated. Steve Pietropaolo will present the plan to the membership at the 2024 Winter Conference. The Strategic Plan is critical for the Academy to move forward. NAFE is continuing to work with other professional organizations. The contract with NSPE will expire in January. As of now, NAFE is continuing on a month-to-month basis with NSPE and with Monika Schulz as interim Executive Director and Carla Graham as her assistant.

Motion to approve Officer Reports move Steve Pietropaolo Second by Michael Aitken. Carried Unanimously.

- 7.2 Strategic Planning Update Leane/Schulz. Strategic Planning began 7/13/23. The Board will see the Plan in draft form, after which it will be sent to members for input, and thereafter then to the Board for adoption. Following adoption of the Plan, the Committees will perform the Operational Work to implement the Strategic Plan and determine the financial implications of the Operational Plans. The Strategic Plan should be considered an ongoing and living plan looked at annually to make sure it is, and remains, consistent with objectives of NAFE and that the Plan continues to develop and continues to support the growth of NAFE.
- 7.3 Discussion and Approval of the 2023 and 2024 Budgets Aitken.

2023 Budget: 10% increase in Application fee and member dues. Budget expenses are based on the past. The budget projects a deficit of approximately \$14,000 due to engaging a Strategic Planning consultant (\$9,000) and a paid speaker (\$26,000). Motion to accept the 2023 Budget by Steve Pietropaolo, Second by Tonja Koob Marking, One opposed Liberty Janson

2024 Budget: Expenses are estimated by increasing 2023 expense by 10%. As of this presentation, the unknown expenses are future expenses for a paid speaker and director fee. The Board expresses concern about paying a high speaker fee and, if a paid speaker is engaged in the future, would like to keep the cost to \$10,000 or less. Under the present speaker fee arrangement this could be accomplished by reducing the number of attendees, negotiating a lower per-attendee fee, or negotiating a flat fee. Motion to approve the 2024 Budget by Sam Sudler, Second by James Petersen, one opposed Liberty Janson

Edited live at meeting: preliminary 2024 Budget net income of \$11,055 and a \$16,230 paid speaker fee. Motion to accept the modifications to the 2024 Budget Sam Sudler Second by Steve Pietropaolo, one opposed Liberty Janson.

- 7.4 Joe Leane presented the proposed 2024 Winter Conference on January 19-21, 2024 (with the meeting date moved to separate the meeting from the New Year) to be held at the Shores Resort & Spa in Daytona Beach, Florida. Motion to approve the location and time for the 2024 Winter Conference by Michael Aitken Second by Liberty Janson. Carried Unanimously.
- 7.5 Joe Leane presented to the Board approval of NAFE Fellow membership for William Lee 655F and Benjamin Railsback 713F. Motion to approval the nominations by Liberty Janson Second by Sam Sudler. Carried Unanimously.

- 7.6 Membership Aitken/Leane. Objective is to cultivate new members and retain current members (Membership Report by Mark Levin). The retention of members and cultivation of new members is part of the Strategic Plan. Need to emphasize the benefits of NAFE membership to perspective members. Note that NSPE is barrier to membership for Canadian members. Note that hierarchy in membership creates perception of gatekeeping. If NAFE changes the trial testimony requirement for Senior Member that change must be reviewed and approved by the Council of Engineering and Scientific Specialty Boards (CESB)
- 7.7 Nominations Sudler/Lean. The objective is to Cultivate new leaders however the trend of organization participation is not appealing to younger individuals.
- 7.8 Future conference locations Leane: The conference planning horizon should be 2 years. The map of the US showing the geographic location of members shows a concentration of membership in the South, Southeast, Northeast, and Southern California areas. Based on the concentration of membership the preferred location for Winter Conferences is the Southeast. Potential Summer Conference locations for consideration are the Pacific Northwest, West Virginia, Portland Maine. High hotel room rates are a disincentive for some members. To offset this, hotel rates are lower during off-season time, for example, New Orleans, LA in the summer., Universities, cost vs. vacation spot. Plan to survey the membership using SurveyMonkey but that has some input bias. Question is: "What would attract younger members?"

#### 8 Unfinished Business - Leane

8.1 None

#### 9 New Business

9.1 None

#### Close

Motion to Adjourn. By Steve Pietropaolo. Seconded Michael Aitken CARRIED UNANIMOUS Close at 4:30 CDT

Respectfully Submitted,

**NAFE Secretary** 



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

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#### MINUTES OF GENERAL MEMBERSHIP 2023 SUMMER MEETING IN KANSAS CITY, MO 7/15/23

- 1. The general membership meeting was called to order at 12:00 P.M. President Leane provided information and an update on the business of the Academy, including the 7/14/23 board meeting, past and future events, budget and finance, a strategic planning process that has been initiated and is underway. Leane announced that two NAFE members, Willaim Lee (655F) and Benjamin Railsback (713F) have been upgraded to Fellow status. Finally, Leane announced the location of the Winter 2024 conference which will be held on January 19, 2024 at the Shores Resort & Spa in Daytona Beach, Florida.
- 2. Motion to Adjourn by Steve Pietropaolo and seconded by Michael Aitken CARRIED UNANIMOUS. Close at 12:30 P.M. CDT

Respectfully submitted,

James R. Drebelbis, AIA, P.E. NAFE Secretary



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#### MINUTES OF BOARD OF DIRECTORS

**NAFE Board Meeting** Monday, October 30, 2023 10:00am-11:00am EDT

By video conference

#### Call to Order

Meeting called to order by Joe Leane, PE DFE (President) at 10:00 AM EST A quorum of the Board was present. Members in attendance:

Sam Sudler, P, DFE. (President)

Joe Leane, PE, DFE (President Elect)

Steve Pietropaolo, PE (Senior Vice President)

Tonja Marking, PE

Michael Aitken, PE, DFE (Vice President)

Bruce Wiers, PE, DFE (Treasurer)

James Drebelbis, AIA PE, DFE (Secretary)

Liberty Janson, PE, DFE (Past President)

Dan Couture, PE, DFE (Director at Large)

Robert Peruzzi, PhD, PE, DFE (Director at Large)

Monika Schultz (NSPE Executive Director)

Susan M. Bowley, PhD

Cara Graham

#### Agenda Items

- 1. Welcome Leane
- 2. Sponsorship

Discussion:

- Concern about sponsors overtaking the conference.
- Different levels of support (booths vs no booths)
- Need to have a dedicated individual to solicit sponsors
- Potential sponsors: SEAK. Rosalie Hamilton

Vote: 8 in favor, 2 opposed, 1 abstention

3. 2 Winter 2024 Conference Update Couture Conference sponsorship program Leane

President Award to Bruce Wiers for long service to Academy

#### 4. Strategic Planning Update Leane/Schulz Action Item to approve draft

By Monika Schultz

Objective approval of the draft of Strategic Plan.

#### Discussion:

- 46% response for suggestions to draft
- Appear to be repetition of issues (Liberty)
- Changes being proposed seem to be a rewrite rather than tweaking
- Recommended smaller group to adjust the strategic plan

Recommendation: Redo the original document. Then board to revisit

#### 5. Exec Director Search Update Pietropaolo/Janson

#### Discussion:

- Submittal deadline is 10/30/2023
- As of today, two submissions from interested parties have been received.
- Plan to interview top two candidates.
- Anther submittal expected in the next few days
- Propose extend until Friday 11/3/2023.
- Steve P to perform reference checks.

Resolution: ED Candidate to be presented to Board at the Winter meeting.

#### 6. Summer 2024 Meeting Location Schulz

Suggestions for Potential Locations: Use chat for suggestions to save time. Suggestions by 11/6/2023 to host and panelists

#### 7. Financial Update Wiers

Financial Reserves dropped after summer meeting.

50K income since September 2023 from membership and renewals.

Recommendation: To keep NAFE healthy need to increase income or decrease costs

#### 8. Nominating Committee Sudler

Slate same except Ben Railsback to replace Robert Peruzzi as Director at Large.

#### 9. Adjourned at 11 AM EDT

Respectfully Submitted,



James R. Drebelbis, AIA, PE NAFE Secretary



1420 King Street Alexandria, VA 22314-2794 Tel: 703-684-2845

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## MINUTES OF BOARD OF DIRECTORS NAFE Board Meeting Tuesday, January 9, 2024 3:00 pm EST By video

#### Call to Order

President Joe Leane called the meeting to order at 3:00 pm EST, January 9, 2024 A quorum of the Board was present

#### Members in attendance:

Joe Leane, P.E., DFE (President)

Steve Pietropaolo, MS, P.E., CFEI, DFE (President Elect)

Michael Aitken, P.E., DFE, LEED AP, CxA (Senior Vice President)

Tonja Koob Marking, PhD, P.E., DFE, D.WRE (Vice President)

Bruce Wiers, P.E., DFE, CMRS, CFI CFEI, CVFI, CBIE (Treasurer)

James R. Drebelbis, AIA, P.E., DFE (Secretary)

Dan Couture, PEng, DFE (Director at Large)

Robert Peruzzi, PhD, P,E., DFE (Director at Large)

Liberty Janson, P.E., DFE (Past President)

Sam Sudler, P.E., DFE (Past President)

James Petersen, P.E., DFE (Past President)

Amanda Hendley – Executive Director Candidate

Monika Schultz (NSPE Executive Director)

Carla Graham

#### **Discussion**

New Executive Director. Amanda Hendley of Association Catalyst LLC (AC) is the selected candidate to be the new NAFE Executive Director. The agreement is for a three (3) year period. NAFE agrees to pay AC a monthly fee of \$3,500 for a 50-hour retainer. Hours exceeding the 50-hour retainer will be billed at \$85 per hour. In-person representation is billed at \$100 per hour. AC will not exceed the 50-hour retainer by more than 5 hours in any month without advance written approval of NAFE. Either party may terminate this Agreement without cause with a sixty (60) day written notice. Amanda will increase her staff to accommodate NAFE's needs. Contract details require refinement. The board authorizes the President to sign the final contract. Motion to accept by Steve Pietropaolo, Second by Michael Aitken. Approval UNANIMOUS.

**Maritz Global Events**. Maritz Global is the 3<sup>rd</sup> party provides site source and selection services for selecting and negotiating of our Conference hotels. Their contract needs renewal. Motion to extend the 3-year contract by Steve Pietropaolo, Second by Michael Aitken. Approval UNANIMOUS

Summer Conference Location. The identified location for the 2024 Summer Conference is Ann Arbor, MI to occur July 19-21. Room costs are \$189/night. Other locations such as Portland, ME and Minneapolis, MN were rejected because of cost. Motion to accept Ann Arbor, MI as the venue for the 2024 Summer Conference by Steve Pietropaolo, Second by Michael Aitken. Approval For 10, Abstention 1.

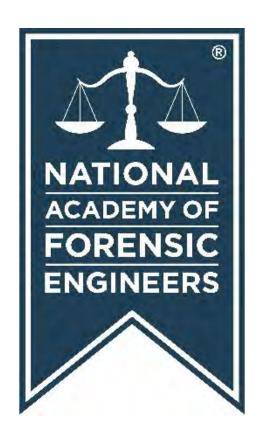
**Update on the NAFE 2024 Winter Conference.** Attendance is strong 104 are expected at the Saturday presentations and 81 at the Sunday presentations. 20 first timers are signed up.

The meeting Closed by Joseph Leane, PE at 3:46 PM EST

Respectfully submitted,

James R. Drebelbis, AIA, P.E., DFE NAFE Secretary

## **ADMISSIONS**





#### Since 1952

To: NAFE Board of Directors

From: Admissions Committee Chair: Steve Pietropaolo, MS, P.E., CFEI, DFE

Date: December 31, 2023

Subject: Admissions Committee Report

The Admissions Committee had a significant backlog of applicants to review.

Since the summer of 2023 **thirty (30)** new dues-payers have been admitted. There were also two (2) fellow member upgrades, one (1) Sr. Member upgrade, two (2) member upgrade and one (1) associate member upgrade.

Several applications are still in various stages of being reviewed and approved through the last **several weeks**. It is anticipated a few more will be approved shortly.

#### **Fellow**

Lee	655F	upgrade
Railsback	713F	upgrade

#### Senior Member

Eubanks 962S upgrade

 Cohen
 1266S

 Ketchum
 1276S

 Lee
 1278S

#### Member

Alvi 1030M upgrade

Schults 1254M Sandford 1256M

Behrens 1265M upgrade

Sanchez 1272M Sadik 1279M





#### Associate Member

Timm	1107A	upgrade
Mejia	1252A	
Batavich	1257A	
Gordon	1261A	
Gilboe	1273A	
Thomas	1274A	

#### Affiliate

Daniliants	1255C
Clay	1258C
Interian	1260C
Bonita	1262C
Fay	1264C
Behrens	1265C
Spensieri	1266C
Theall	1267C
McKenna	1268C
Aparicio	1269C
Ellis	1270C
Pearson	1271C
Blackwell	1275C
Asarisi	1280C
Nunez	1281C
Beaton	1282C
Van De Wiele	1283C
Opoku Yeboah	1284C

#### Student Affiliate

Westmoreland n/a

Note: the procedure of reviewing applications and processing these applications has significantly been streamligned due to the efforts of Mitch Maifeld and his IT committee's work on the CivCrm system. As committee chair, I relied on Mitch on an ongoing basis to assist me. Our current ED team was uploading documents, but not assisting in "managing" the process due to available bandwidth.

My recommendation to the incoming Admissions Chair is that the new ED and staff be looped in immediately on the process so that they can lend support and assist in managing the process and providing assistance on following up and contacting applicants.

Further, the entire committee and new ED should review the NAFE Member Structure Matrix below so they completely understand the requirements for member grades.

Admittance:	Application	Application Fee	References (see note below)	E.I.T. (Engineering Intern) or PhD Engineering	Engineering License (US-PE or Canadian- PEng)	NSPE Membership	National / International Technical Society Membership	Years of Professional Experience (Min)	Years of Forensic experience (Min)	Forensic Engineer Cases Prepared (Min)	Court Room Testimony (Min)	Member or Senior	NAFE Papers presented + active NAFE participation
Board Certified Diplomate													
Fellow		N/A	3 Fellows +1	N/A	Required	Required	Required	20	15	50	10	4	2
Senior Member	General	N/A	3	N/A	Required	Required	Required	12	5	10	5	N/A	N/A
Member		N/A	2	N/A	Required	Required	Required	5	2	2	2	N/A	N/A
Non-Board Certified Diplomate								•					
Associate Member	General	N/A	2	EIT, EI, PE, PEı (AIA), LSIT		NSPE, AIA or NSPS	Required	4	2	2	N/A	N/A	N/A
Affiliate	Affiliate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Student Affiliate	Aimate	N/A	N/A	N/A	N/A	Required	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Notes: NAFE member references must be from members at, or above, the grade requested Upgrades only need additional references as required to fulfill requested grade requirements													

The communication with prospective applicants, answering their questions and fullfilling their expectations is the most vital part of the process.

Following up with applicants regarding their references, making calls to applicants, reviewing the uploaded materials (CV, testimony list, references, etc.) and processing - then approving the applications takes a lot of work, more than should be placed on one volunteer.

Sincerely,

NATIONAL ACADEMY OF FORENSIC ENGINEERS

Steve Pietropaolo, MS, P.E., CFEI, DFE

**Admissions Chair & President Elect, NAFE** 

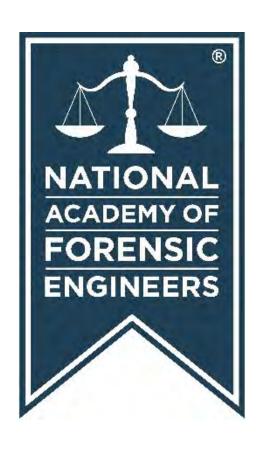


1420 King Street Alexandria, VA 22314-2794

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

WWW.NAFE.ORG

## BYLAWS & AOI





#### **Rochester Institute of Technology**

College of Engineering Technology Department of Manufacturing & Mechanical Engineering Technology 78 Lomb Memorial Drive Rochester, NY 14623-5604

December 11, 2023

Re: Bylaws Committee Report for January 2024 Board of Directors Meeting

Dear President Leane,

The By-Laws Committee was requested to review and vote on a change to the by-laws to updated wording related to Executive Director and Executive Secretary. The committee approved the proposed changes and recommended that the NAFE Board of Directors approve the update. Please note that per the by-laws, only the Board of Directors need approve the change — the general membership does not need to be polled. The general membership votes only to approve changes to the Articles of Incorporation.

Respectfully submitted, Chair, By-Laws Committee,

Prof. Martin E. Gordon, PE, DFE

MILL, PE

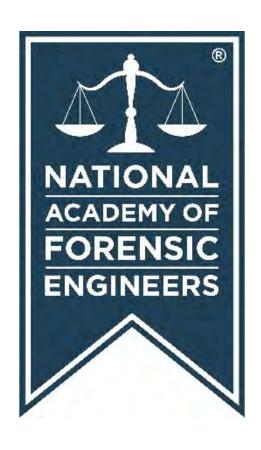
Professor and Director for External Academic Relations

Vice-President of External Relations, American Society of Engineering Educators

Northeast Regional Director, National Society of Professional Engineers

Past-President, National Academy of Forensic Engineers

## CONFERENCE COORDINATOR





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

WWW.NAFE.ORG

December 18, 2023

To: NAFE Board of Directors

From: Daniel P Couture, P.Eng., DFE, FEC Re: Conference Oversight Chair Report

The NAFE Conference Oversight Committee members are:

Daniel Couture: Chair

Carla Graham: Admin Support

Monika Schulz: Site and Contractual Arrangements

Joe Leane: NAFE President

Subsequent to the Toronto, ON and San Antonio, TX conferences, Daniel Couture was appointed Conference Coordinator to provide a contact point among the Board, the Education Committee and the Technical Committee. The essence of the mandate was coordination of conference activities for the benefit of the Academy.

Committee meetings were arranged on Zoom and telephone platforms on a regular basis to review the planning template items, which brought the time sequence and deadlines into better focus.

#### Kansas City MO – July 2023

Once the site for the summer conference had been selected as Kansas City MO, the Oversight Committee generated marketing materials and created messaging to members and the public, with the objective of encouraging attendance and participation. CiviCRM techniques were used to convey email descriptions directly to members and our 'friendly' three-thousand-person list; LinkedIn blasts were also used to notify followers and potential followers of the benefits of attending. The KCMO event was lightly attended (about 50), and we defer to the Finance Committee about whether it adequately contributed to the Academy's coffers.

Following the summer conference, attendees were surveyed (see attachment) about various topics, to help direct the next in-person conference. We confirmed that "content was king" for the seminars on both Saturday and Sunday, and then passed on this valuable information to the Education and Technical Committees.

#### Daytona Beach – January 2024

Selection of Daytona Beach FL as the January 2024 Conference came after negotiations made on behalf of NAFE with The Shores Resort & Spa, with due consideration of the budget outline approved at the KCMO Board meeting. Given the critical importance of the

in-person conferences to the finances of the Academy, tight controls and targets were set, with an attendance goal of at least 65 members at both Saturday and Sunday events.

The conference daily fee was kept at \$650, in part as a response to inflationary pressures. Emphasis was made on the value for money proposition – a weekend with about 15 contact CPD hours from a wide variety of topics and excellent networking opportunities. Once the Education Committee had designated speakers for Sunday, and once the Technical Committee had completed its adjudication of speakers and topics, the information was shared with the 'friendly' list and Academy members.

The CiviCRM software was used to announce, cajole, tease and convince members and potential members of the benefits of attending in-person The central theme of the sales message was:

Why You Should Attend: Come to Daytona Beach, for the sand, the sea, the weather and great food, but certainly to gain access to knowledge that will inform your professional practice!

If you are new and interested, get focused on your career goals, and listen to earned wisdom. This conference is an investment in your future as a Forensic Engineer. Get a practice tune up, if you have been a Forensic Engineer for five years or more, because the ground moves beneath our feet in this field.

Through contacts made by board member and President-Elect Steve Pietropaolo, a tour of Embry-Riddle Aeronautical University was organized for the Friday afternoon. A highlight will be the Awards banquet (more than 60 tickets sold) to celebrate Bruce Wiers, recipient of the President's Distinguished Service Award.

The Conference Committee set the Early Bird deadline, for a \$50 per day fee reduction, as December 1, 2023, and there was excellent take up by prospective attendees. The Florida sunshine was also an enticing factor, and at the time of writing we are expecting about 90 on Saturday and 70 on Sunday.

#### Next Conference Location

We understand that the date, likely mid-July, and location will be chosen in time for the announcement at the Board meeting in Daytona Beach.

#### Sponsorship of Conferences

At the October 2023 Board meeting, the topic of sponsorships was proposed for further investigation, but as of the date of writing, the parameters have not been set. Advancing to have sponsors is an important step toward maintaining viability of the Academy, and professional rather than volunteer support would be preferable.

Sincerely,

#### NATIONAL ACADEMY OF FORENSIC ENGINEERS

Daniel P Couture, P.Eng., DFE, FEC Conference Oversight Committee Chair

## CONTINUING PROFESSIONAL DEVELOPMENT





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

WWW.NAFE.ORG

January 8, 2024

Memorandum

To: NAFE Board of Directors

From: Joseph Leane, DFE, CPD Committee Chair

Re: Continuing Professional Development (CPD) Committee Report

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. 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.

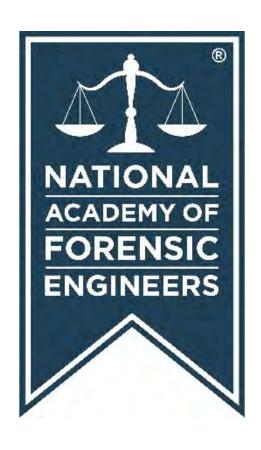
The NAFE Continuing Professional Development (CPD) procedures are described in Appendix 2 of the Bylaws. The member CPD credit submission, analysis and reporting process occurs via the online form. That Appendix requires a Member, a Senior Member, or a Fellow maintain a minimum CPD balance of 100 credits, and an Associate Member maintain a minimum CPD balance of 50 credits, from the previous five years (Items 3 and 4). On or before January 7 of each year, each Associate Member, Member, Senior Member and Fellow shall submit a tally listing the CPD credits earned during the previous year. The Appendix further states members (all the above membership grades) who do not meet the CPD requirements for more than 6 months (and are not excepted) shall be automatically severed from membership status and certification previously attained. However, they may transfer to a non-member, non-certified status (Item 5). Members that are not in compliance with the CPD requirements are identified as not current.

The 2023 CPD credit submission was due January 7, 2024. Members received several email notices instructing them to submit the CPD credits prior to the January 7 deadline. As of the deadline, 94 members did not meet the CPD requirements. A reminder email will be sent to those members advising them of their status and encouraging them to submit the credits prior to the expiration of the six-month grace period.

Please contact me with any comments or questions. Thank you.

Joseph Leane, P.E., D.F.E. CPD Committee Chair

## CONTRACT DOCUMENTS





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

WWW.NAFE.ORG

December 18, 2023

To: NAFE Board of Directors

From: Daniel P Couture, P.Eng., DFE, FEC Re: Contract Documents Committee Report

The NAFE Contract Document Committee members are:

Daniel Couture: Chair

Joe Leane: NAFE President

No committee meetings were held in the past calendar year.

We noted some activity on the NAFE1 discussion board, from members wishing to have more information on how to set up successful retainers with clients.

We are fortunate that this topic will be under discussion at the Dayton Beach Educational Conference, and we understand that the Academy has 'boiler plate' samples in an inventory of templates. Perhaps we can communicate the availability of these templates more clearly to the membership.

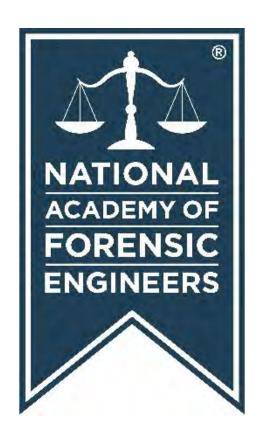
The Board may wish to add this item to its discussion agenda of January 19, 2023.

Sincerely,

#### NATIONAL ACADEMY OF FORENSIC ENGINEERS

Daniel P Couture, P.Eng., DFE, FEC Contract Documents Committee Chair

## **EDUCATION**





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

WWW.NAFE.ORG

January 7, 2024

To: To NAFE Board of Directors

From: Zohaib A. Alvi, M.Eng., P.E., ENV-SP

Re: Education Committee Report

The Winter Conference Educational Program came together with a little bit of a struggle due to a learning curve on my end, but it came together in the end. The program includes two presentations totalling three hours consistent with our traditional Winter Conference Sunday Ethics seminars and three presentations totalling three hours related to the general business and practice of forensic engineering. For the final session, we were able to get Mike Gordon to present on the space shuttle Columbia disaster from an ethics perspective. Based on my conversations with him and a review of the presentation, it will be a discussion-inspiring presentation.

Going back to the learning curve discussed above, Steve Piertopaolo and Dan Couture were both instrumental in helping me put this together. The immediate volunteering I received from Bill Ver Eecke, Karen Pietropaolo, Bart Kember, and Rebecca Bowman at the Kansas City conference helped put together a framework for the themes and outcomes for this program.

Although I will be unable to attend the Winter 2024 conference, I will remain available throughout that weekend via phone, email, or videocall, should you need my assistance. I am looking forward to the feedback from this conference so I can improve on future offerings.

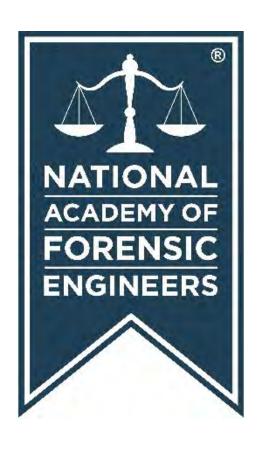
Sincerely,

NATIONAL ACADEMY OF FORENSIC ENGINEERS

Zohaib A. Alvi, M.Eng., P.E., ENV-SP

**Education Chair** 

## **ETHICS**





Tel: 813.948.8010 Dir: 813.279.2153

WWW.NAFE.ORG

#### December 31, 2023

To: NAFE Board of Directors

From: Samuel G. Sudler III, P.E., IntPE, DFE (Chairman, Ethics Committee)

Re: Ethics Committee Report

Since the NAFE Summer meeting the Ethics Committee has not received any ethical complaints to be addressed by the Ethics Committee and that concludes the Ethics Committee Report.

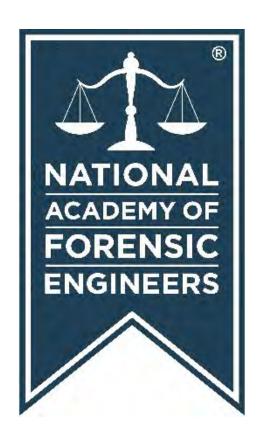
Samuel G. Sudler III, P.E., IntPE, DFE

Amut Seller

NAFE Past President

886S

## **FINANCE**





December 31, 2023

National Academy of Forensic Engineers

#### **Membership Committee**

The membership committee has not meet and has no activities at this time. While developing the 2023 and 2024 budgets, the membership numbers have been reviewed. Membership is growing. We need to thank Steve Pietropolo, PE and the rest of the Admissions Committee for their strong, diligent, efforts are processing applications and pushing membership number in 2023.

#### **Finance Committee**

The finance committee has not meet and has no activities at this time. We have completed the 2023-2024 budgets. With strong registration numbers for the winter 2024 conference and the selection of a new executive director, our budget numbers will be stronger than projected..

#### **Legislative Committee**

The legislative committee has not meet and has no activities at this time.

If you should have any concerns or questions, please do not hesitate to contact me.

Sincerely,

**MEA Consulting Engineers, Inc.** 

Michael E. Aitken, P.E. F.NSPE, DFE, LEED AP O+M, CxA

Marchael

Vice President

# INSPECTOR OF ELECTIONS and AUDIT





#### MICHAEL KRAVITZ, PE, DFE CONSULTING ENGINEER

484 West 43rd Street, Suite 32S, New York, NY 10036 Tel: 917.885.9000

P.O. Box 1179, Margaretville, NY 12455 Tel: 917.885.9000

Engineering Applied To Jurisprudence

December 4, 2023

Joseph G. Leane, P.E., D.F.E., C.F.I. President NAFE HAZARD, KEEFE & LEANE ENGINEERING, INC. 1144 Ensell Road, Lake Zurich, IL 60047

Re: Report from Chairman of Inspector of Elections & Audit Committees as of December 4, 2023

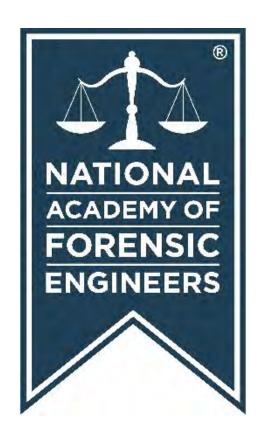
Mr. President:

There has been no activity for the Inspector of Elections Committee. As Chairman of the Audit Committee, I reviewed the accounts prepared by Bruce Weirs, P.E., Treasurer and found that the accounts were in order.

Respectively submitted, Michael Kravitz PE, DFE

Cc: Michael Aitken PE DFE Martin Gordon PE DFE Bruce Wiers PE DFE James Drebelbis PE AIA DFE

## **INSURANCE**





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

WWW.NAFE.ORG

December 18, 2023

To: NAFE Board of Directors

From: Daniel P Couture, P.Eng., DFE, FEC

Re: Insurance Committee Report

The NAFE Insurance Committee members are:

Daniel Couture: Chair

Joe Leane: NAFE President

No committee meetings were held in the past calendar year.

We noted some activity on the NAFE1 discussion board, from members wishing to have more information on providers of liability, errors and omissions type coverage, based on their dissatisfaction with brokers and insurance companies.

We respectfully submit that this topic may be a fruitful one for further elaboration at an Educational Conference, perhaps with a speaker from that industry sector who could provide an overview of what carriers look for and why forensic engineers should or should not obtain different styles of coverage.

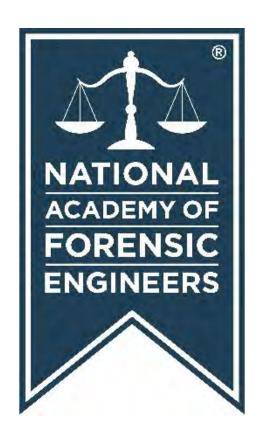
The Board may wish to add this item to its discussion agenda of January 19, 2023.

Sincerely,

#### NATIONAL ACADEMY OF FORENSIC ENGINEERS

Daniel P Couture, P.Eng., DFE, FEC Insurance Committee Chair

## **LEGISLATIVE**





December 31, 2023

National Academy of Forensic Engineers

#### **Membership Committee**

The membership committee has not meet and has no activities at this time. While developing the 2023 and 2024 budgets, the membership numbers have been reviewed. Membership is growing. We need to thank Steve Pietropolo, PE and the rest of the Admissions Committee for their strong, diligent, efforts are processing applications and pushing membership number in 2023.

#### **Finance Committee**

The finance committee has not meet and has no activities at this time. We have completed the 2023-2024 budgets. With strong registration numbers for the winter 2024 conference and the selection of a new executive director, our budget numbers will be stronger than projected..

#### **Legislative Committee**

The legislative committee has not meet and has no activities at this time.

If you should have any concerns or questions, please do not hesitate to contact me.

Sincerely,

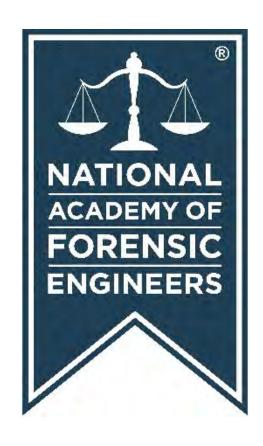
**MEA Consulting Engineers, Inc.** 

Michael E. Aitken, P.E. F.NSPE, DFE, LEED AP O+M, CxA

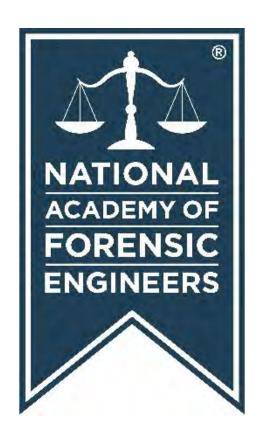
Marchael

Vice President

## LONG RANGE PLANNING



### **MEMBERSHIP**





December 31, 2023

National Academy of Forensic Engineers

#### **Membership Committee**

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#### **Finance Committee**

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If you should have any concerns or questions, please do not hesitate to contact me.

Sincerely,

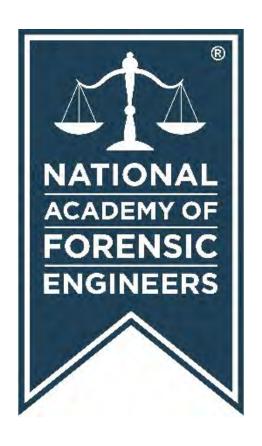
**MEA Consulting Engineers, Inc.** 

Michael E. Aitken, P.E. F.NSPE, DFE, LEED AP O+M, CxA

Marchael

Vice President

## NAFE1





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

WWW.NAFE.ORG

December 15, 2023

To: NAFE Board of Directors

From: Robert O. Peruzzi, PhD, PE, DFE

Re: NAFE1 Discussion Board Committee Report

The NAFE1 Discussion Board Committee Members are:

Robert Peruzzi: Moderator Rune Storesund: Moderator

Mitch Maifeld: System Administrator Mike Leshner: System Administrator

Michael Stichter Monika Schultz Jim Drebelbis Bruce Weirs

Joe Leane (NAFE President)

NAFE1is a private discussion group for members of the National Academy of Forensic Engineers (NAFE).

No committee meetings were held.

Moderators responded to NAFE1 system messages as they occurred, sometimes with assistance from system administrators.

In general, the text content of any e-mail message you send to <a href="mailto:nafel@nafe.org">nafel@nafe.org</a> gets forwarded to the NAFE1 e-mail list.

As suggested by Bruce Weirs, I am reprinting a message from a former NAFE1 moderator. In 2020, George J. Hall, P.E. wrote:

"I'd like to take this opportunity to remind all of NAFE Operating Procedure 11E (OP-11E, the "rules" for this email forum) language that states "The Email group is for educational and technical information exchange by NAFE Members..." The purpose of this group is to serve as a learning forum for technical issues related to Forensic Engineering, and that certainly covers most all of our past discussions on the group. Valid technical discussion on a forensic engineering issue is welcome – questions are welcome – that's what we do here. We Moderators have always tried to be fairly liberal in our interpretation of what constitutes discussion of "forensic engineering" issues, and we will continue to do so. If you aren't sure if a certain topic is permitted, ask first by emailing me offline.

I've tried to convey this next point before, but I've been unsuccessful so far, so allow me to try once more. Our email group consists of about 200 members. Every email you send to the group goes to 200 in-boxes. Not just any 200 in-boxes; each NAFE1 email goes to the inbox of 200 very busy engineering experts who already receive dozens (or even hundreds) of emails each day. Please don't send superfluous emails that don't add anything of material significance to the conversation. Superfluous emails consist of such things as emails that simply say "I agree," or "well said," or "I don't have time to respond now but I'll email later," or "great post, looking forward to seeing you in Phoenix." If you want to convey those things by email, instead of replying to the entire group, you can just reply directly to the author of the email. Near the bottom of each NAFE1 email there is a link to "Reply to Sender." Simply click on this link and your reply will only be sent to the author of the post, and the remaining 199 folks won't have to open, read, then delete your email that simply says "me too." I'm not trying to be a spoil-sport by asking this; we have had several members resign from our email group who told me that they simply received too many "junk" emails from the group. This forum gives each of you a lot of power; when you send an email it is going directly to about 200 engineering experts, all of whom will read and consider your email and possibly reply and offer advice or technical support that could enhance your own work and possibly save you days of research; this forum is indeed a very powerful tool! With great power comes great responsibility; I'm simply asking that each of us is considerate of that.

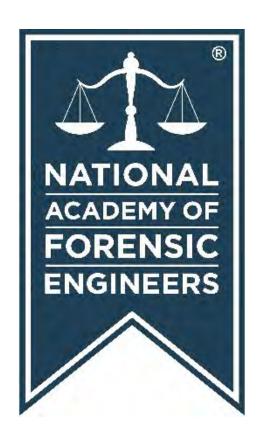
Another item in OP-11E that we should all remember is the following; "Personal attacks or the placement of material in poor taste or demeaning to others whether or not they are members of the Academy is prohibited." This includes any language that could be interpreted as being demeaning towards a state registration board, for instance. It is possible to state a philosophical disagreement without belittling the character or motives of the person/entity/institution with whom you may disagree, and that's what is required in this forum. Just state things using the same professional tone and demeanor that you use when writing an engineering report.

Finally, please note; I'm not directing this post towards any individual or individuals, so please don't consider it as such. I'm simply asking that we all take a little extra time and consideration before hitting the "send" button. Now, if you happen to agree with me, please don't reply to the entire group and say so!"

#### NATIONAL ACADEMY OF FORENSIC ENGINEERS

Robert O. Peruzzi, PhD, PE, DFE Public Relations Committee Chair

## **NOMINATING**





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

WWW.NAFE.ORG

May 21, 2023

To: Joseph Lean, PE. (President)

From: Sam Sudler, PE, Liberty L. Janson, PE, James Petersen P.E.

Re: Nominating Committee Report May 21, 2023

The Nominating Committee communicated via email and reached out to active and eligible Senior Members to request their continued service to the Academy. Personal conversations with eligible candidates during the San Antonio, Texas meeting revealed our senior members did not feel that they could provide the Academy with the time and energy needed to serve on the Board at this time. That was true for all but one candidate, Dan Couture, P.Eng, DFE, who graciously accepted the invitation to become the incoming 2024 Vice President of the Academy.

As discussed in the Mark Levin Membership Report and most Board Meetings in the last 5 years, survival of the Academy will rely not just on membership growth, but engagement and retention of active, motivated leaders in the organization. Finding these motivated leaders will have to begin with those Senior Members who are motivated and the newly elevated Senior Members that are seen as potential leaders of the Academy.

The Nominating Committee submits the following slate of nominees to be officers and directors for the 2024 administrative year:

President-Elect: Michael Aitken, PE (NAFE 1110S)
Senior Vice President: Tonja Koob, PE (NAFE 1152S)
Vice President: Daniel Couture, PE (NAFE 951S)
Directors-at-Large: Robert Peruzzi, PE (NAFE 967M)

Ben Railsback, PE (NAFE 713F)

Treasurer: Bruce Wiers, PE (NAFE 755S)
Secretary: James Drebelbis, PE (NAFE 938S)

President (by accession from 2023 President Elect): Steven Pietropaolo, PE (NAFE 769S)

Past Presidents: Joseph Leane, PE (NAFE 524F)

Sam Sudler, PE (NAFE 886S)

Liberty Lewis Janson, PE (NAFE 777S)

Please let me know if you need anything else from the Nominating Committee President Leane

Sincerely,

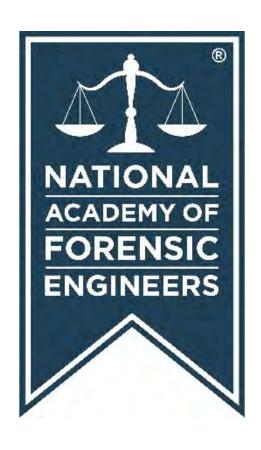
#### NATIONAL ACADEMY OF FORENSIC ENGINEERS

Samuel G. Sudler III, PE, IntPE, DFE, F.NSPE

finul Gedless

Nomination Committee Chair

# PUBLIC RELATIONS





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

WWW.NAFE.ORG

December 15, 2023

To: NAFE Board of Directors

From: Robert O. Peruzzi, PhD, PE, DFE Re: Public Relations Committee Report

The NAFE Public Relations Committee members are:

Robert Peruzzi: Co-Chair

Drew Peake Michael Kravitz

Dan Couture – Linked-In Monitor Richard Rice – Linked-In Monitor Mike Leshner – WWW Liaison Joe Leane: NAFE President

No committee meetings were held.

Forwarded several press releases of noteworthy accomplishments of NAFE members (presentations, etc.) to the Linked-in and WWW Liassons for posting.

Here are stats from our Linked-In site as monitored by Richard and Dan:

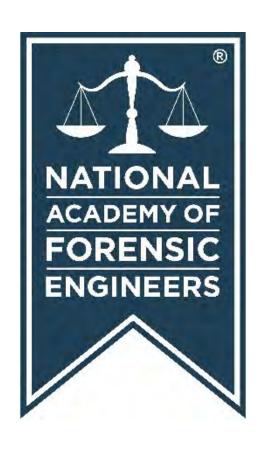
Over the past year (as of 12/17/23): 1421 views (clicks) 15.7% from Law Practice/Legal Services 910 total follows/186 new follows this past year 631 reactions to NAFE posts 35 comments to NAFE posts 110 reposts of NAFE posts

Sincerely,

#### NATIONAL ACADEMY OF FORENSIC ENGINEERS

Robert O. Peruzzi, PhD, PE, DFE Public Relations Committee Chair

# PUBLICATIONS & TECHNICAL REVIEW





RE: Report for the Technical Review Committee

Dear President Leane,

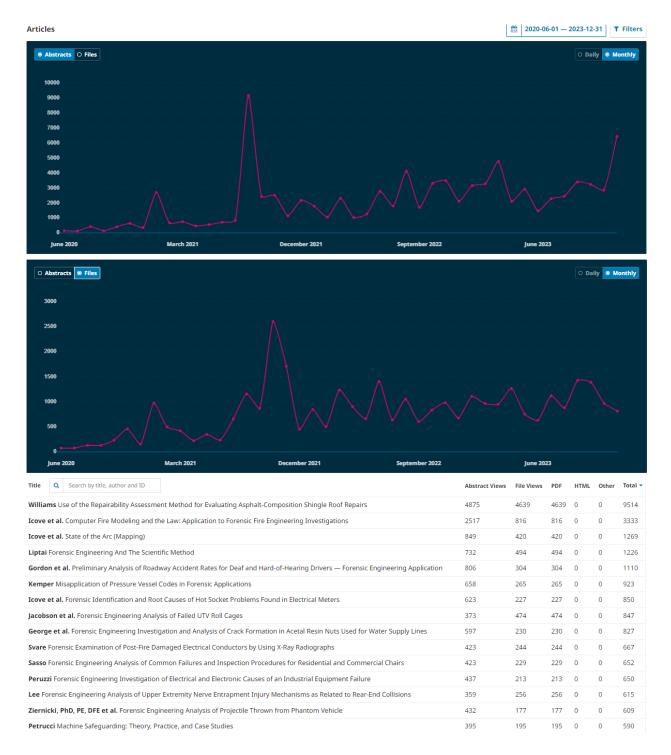
The Technical Review Committee report is as follows:

- 1. The volunteer staff for the Journal is as follows:
  - Editor In Chief (Bart Kemper)
  - One Senior Associate Editor (Jim Green)
  - Eight active Associate Editors (Zo Alvi, Rebecca Bowman, Dave Icove, Mark McFarland, Bob Peruzzi, Mike Plick, Paul Stephens, Paul Swanson)
  - One technical editor (Mitch Maifeld)
- 2. Our paid staff is one person, Ellen Parson.
- 3. Daytona Meeting: We had 12 abstracts, of which 8 were selected plus 2 carryovers from the previous cycle, giving us 8 papers selected for Kansas City plus 2 in reserve. One paper was withdrawn and another could not meet publication requirements so it was cut. The Reserve papers were activated in time for full participation. As of this date there are no papers in reserve. Next cycle will be selecting 10 papers.
- 4. The next issue is projected to have 7 papers. Given we have reached an equilibrium with 1 track of 8 papers, we should expect to have 5-9 papers per issue.
- 5. Backlog is defined by papers that are not in the current presentation cycle and not scheduled to go to print in the next issue. For example, a paper that is presented in January of a year and progresses to publication in July will never be "backlog." Based on this definition, there are 12 papers in backlog, with 6 of the 12 being San Antonio (previous meeting) papers that did not step through at full speed. We should expect to maintain a backlog of 8-16 papers for a variety of reasons, to include being understanding of exigent developments with the authors.
- 6. We should start having an "Impact Factor" in 2024, which is a measure of our citation rate to our publication rate.
- 7. I plan my last edition as EIC to be January 2025, with Dr. David Icove succeeding me.
- 8. Our visibility continues to increase, with surges coinciding with Journal issue publication. Using CrossRef as part of the OJS system has increased the visibility of the Journal and individual papers. Authors with an ORCID are also seeing their work indexed faster and across more scholarly databases like PUBMED. (See following pages.)

Best regards,

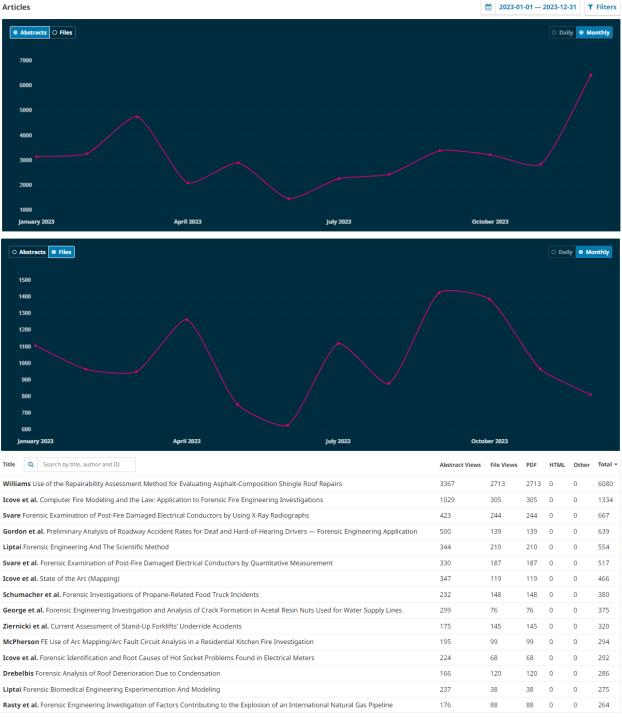
**Bart Kemper** 





Overview of activity since June of 2020, including top 15 papers (of 556 in the database, published or otherwise)





Overview of 2023 file activity, including the top 15 published papers.

## WEBSITE





Tel: 703-684-2823

https://nafe.org

Date: January 19, 2024 Subject: IT Committee Report

#### **Current Status**

The second half of 2023 saw us enjoying our larger virtual private server (VPS) with 210 GB of drive space. Now only during backups do we get into the 90% usage range and that's only for a few minutes. This entire server is backed up every other day, weekly, and monthly to Backblaze B2 for about \$5/month on an average of 644 GB of storage: 620 GB for our sites, 40 GB for the Nextcloud Conferences folder, and 4 GB for the Nextcloud Committees folder. We proved the backups work with a Drupal/database recovery on 7 July 2023. Google Ads cost a max of \$50/month normally or \$90/month for a conference ad just before our gatherings. See the last page of this report for a graphic representation of our complete IT infrastructure and each of its components.

There was brief downtime on 22 August and 30 October for about an hour. There was a problem at our registrar, Network Solutions on 30 October: a brief DNS issue. I made a configuration error in the method to renew our server certificates several years ago; for some reason there was no effect until 22 August when Apache (our web server on euler) was down for a couple of hours. We now renew our certificates a different way.

Some of us participated in the Executive Director Search and the Strategic Planning Initiative. We are excited for the future of NAFE!

#### **WWW Site**

Our nafe.org site is built on a content management system (CMS) called Drupal. Members all have login accounts and non-members can create login accounts on this CMS to access some content not available to the general public such as registration for conferences and application for membership. Dues-payers have more permissions and can access even more information than that such as a member directory search and our bylaws. These members can also update their personal information profile, enter CPDs, and renew their membership. Most of these functions are provided using a back-end constituent relationship management system (CRM) called CiviCRM. It provides extensive capabilities for working with contact information, handling memberships, processing mailings, managing events with registrations, working case files for member applications, and accounting for all monetary transactions.



We have made improvements in recent months around the workflow the Academy uses to process applications for new members, including better documentation. Another such improvement was to the application form itself. We added a "Please Explain" collapsible section to the application after many questions such as "Does a depo count as testimony?" and "What does cases prepared mean to a non-FE or pre-FE?". We hope this additional explanation aids the applicants. Read for yourself on <a href="https://nafe.org/apply">https://nafe.org/apply</a>

Another application roadblock is closing the loop on getting reference letters into member applications. Although an email goes to an applicant's references the very same moment the applicant clicks on "Submit", most of our applications are hung up waiting for the letters to be attached to the application. The bylaws require the references to send their letters to the Executive Director, who then uploads them. Sometimes, the reference contacts state they did not see the email or they forget (spam folder, too busy). Sometimes, they say they have sent it in, but the letter is not in the application (executive office). Sometimes, the application is complete, but the Admissions Committee has not yet approved the application. There are currently 50 applicants waiting.

This renewal season, we made more improvements to the Scheduled Reminders such that they will go out automatically when the bylaws require – no humans-in-the-loop to forget. The Membership Renewal reminders will go only to those members who have not yet renewed. The CPD reminders will be configured to only pester those people who are behind.

We continue to have an unresolved issue with error-proofing conference registrations. Some people "register" for a conference, choosing **neither** Saturday nor Sunday so they don't have to



pay. They wind up with a \$0 registration, but as we have found during prior instances, the member feels like they have registered and should be able to attend the conference. Recommendations for a solution are welcome.

We are currently on Drupal 8.9.20 and CiviCRM 5.50.4. Both are end-of-life. Drupal 9 was EOL in November 2023 (Drupal 10 is stable now) and we should upgrade CiviCRM to 5.63, an extended-security release from July 2023. Some of our custom functions require work-arounds for the newer versions and volunteer labor is a limited resource. These resources would also like to work on a new SearchKit to implement our Member Directory with Engineering Disciplines, Specialties, and Courts. This has been requested by several users such as Grantham and Ver Eecke. After these upgrades, Mike Stichter is working on a new theme for the site.

#### **Email**

There is no additional cost for unlimited email boxes as mail server software is included with our VPS. Positional accounts such as <a href="mailto:treasurer@nafe.org">treasurer@nafe.org</a> and <a href="mailto:president@nafe.org">president@nafe.org</a> have mailboxes on euler which can be accessed via webmail interface or via email client. Most of these also have forwards to the postion-holder's personal email address for that user's convenience. These change every January meeting when the officers shift. If you are on the Board but have not yet used your nafe.org email address while conducting NAFE business, let us know when we can help you set it up.

#### **Help Desk**

Customer service software called FreeScout runs three email mailboxes for: <a href="mailto:help@nafe.org">help@nafe.org</a> to assist members, correspondence about each conference via <a href="mailto:conference@nafe.org">conference@nafe.org</a> and for interested parties to "Discuss with a Member" on <a href="mailto:discuss@nafe.org">discuss@nafe.org</a>.

This fall, we installed two new FreeScout modules: Wallboards and @mentions. We configured a new Wallboard to show which of our Leadership team has outstanding issues with our constituents (see right for stats from the last 12 months). Active issues mean

By Leader			
24	39	Ę	578
Active	Pending	C	closed
User	Active	Pending	Close
Steve Pietropaolo	8	2	1
Liberty Janson	3	0	0
Michael Aitken	3	1	0
Carla Graham	3	11	184
Unassigned	2	0	139
Mitch Maifeld	1	5	134
Mitch Maifeld	1	0	9
Joe Leane	1	12	21
Rune Storesund	1	0	0
Jim Petersen	1	0	0



the constituent is waiting for us to respond; Pending issues mean we are waiting for the constituent to respond. Using a help system was intended to keep us from dropping the ball when helping our constituents; we aren't there yet. The Mentions module allows a writer to call out another user with the @ sign as one would in social media. That user is then notified of their mention even if the issue is not their assignment. <a href="https://help.nafe.org/wallboards">https://help.nafe.org/wallboards</a>

Our "help desk" of all three of the above mailboxes handled 1491 conversations with 259 different constituents in the last 12 months. Unfortunately, 69% of issues take over 2 days to resolve, with an average over all issues of 130 days until resolution. We consider good constituent service to look more like an average of 1 day to resolution. Find these metrics in the FreeScout menu under "Reports".

#### **NAFE1 Email Discussion List**

GNU Mailman v2 comes free with our server management software and currently handles several dozen messages per month.

CiviMails to the "Big List" of all 3,000 known contacts occasionally land our IP address on a blacklist. NAFE1 subscribers who use that blacklist will then bounce discussion list emails and any other emails we send; this requires us to take action. We have rarely received complaints from members when this happens, but it is a periodic, frustrating task when we must apply for blacklist removal.

Recent postings have necessitated action from the Moderators. We are discussing adding verbiage to the Mailman footer and/or to the Public Info pages. One topic is regarding rules about content on the List. Another topic is engagement opportunities posted from an external source. Our idea is to use a standard banner on NAFE1 messages from the Executive office which relay an engagement opportunity from an attorney. In many cases, our members erroneously reply to the list with their response to the opportunity, instead of replying to the requesting attorney.

During the mass exodus from Twitter (now called just "X" because Elon Musk was quick to get an early, single-character domain in the TLD .com), we registered <a href="https://nafe.social">https://nafe.social</a>. Our vision



is that this can be NAFE's platform for a modern communication system, perhaps called NAFE2. NAFE1 started in the 1980s and wouldn't be closed, but perhaps a discussion group on a different platform with an interface other than email would be appealing to younger members. All of our IT Committee and many of our Leadership are using Telegram for NAFE business, but this may not be the right venue for our general membership. Top contenders to fill this bill are Mastodon (decentralized social media) or Mattermost (team messaging). Whatever solution we find, its user authentication would reference our LDAP server like our other properties: No, Liberty, not another password!

The email address to use is: <a href="mailto:nafe1@nafe.org">nafe1@nafe.org</a> Current moderators are Michael Stichter, Rune Storesund and Bob Peruzzi.

#### **Journal**

The NAFE Journal staff will expand upon Journal stats in their own report, but from a server perspective over the last 12 months our Open Journal Systems (OJS) handled in the range of 1500-4700 article views each month.

Since starting sales of articles on OJS in November of 2020, we have sold 69 PDFs to non-members (or members who did not/could not take advantage of them being free) at \$25 each with 9 of those since the last conference (summer 2023).

#### Groupware

Our groupware solution called Nextcloud is available to our leaders at <a href="https://cloud.nafe.org">https://cloud.nafe.org</a>. Most organizations use team collaboration software such as this and we have put our meeting minutes, bylaws, branding, contracts, and video recordings there. Every committee has its own shared folder as does every conference. Users also have their own personal folders which can be private, can be shared to other users individually, or can be set up as drop links such as for submission of presentations.



#### **Online Advertising**

Our regular Google Ads campaign has a budget of \$50/month, shown at right. We pay for clicks, but not impressions. We have complimentary ads about our conferences: a "Smart"-type ad campaign bidding at \$3/day and a "Performance Max"-type experimental campaign bidding at \$5.60/day. Our top three clicked search terms continue to be "forensic engineering", "national academy of forensic engineers", and "nafe".

National Academy | Forensic Engineers Ad http://nafe.org

Advance Your Forensic Engineering Practice. Visit Our Website For More Details!

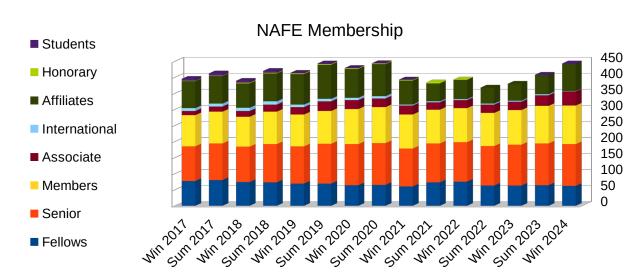
#### **Education**

To facilitate NAFE's expansion into online education, we have <a href="https://education.nafe.org">https://education.nafe.org</a> which runs software called Moodle, a learning management system (LMS). There, we host one free seminar and four paid seminars which cost \$35 each, all delivered from our YouTube channel. Seventy one users have registered to consume our content. If you have ideas for additional content, please contact the education chair.

#### **Database**

In the last half-year, we experienced the largest growth ever in new Associates (11) and Affiliates (24). We attribute this increase to finally realizing the benefits of making the application process less onerous and no-longer paper-based. As described above, the admissions roadblock has now moved to getting references returned and processing final approvals, so there are 50 more new members waiting in the backlog. We also have seen greatly increased interest from outside of North America recently, but with only one International Member at the moment we should give fresh consideration over how to welcome these people. For example, how does the International Member grade compare to grades of Member, Senior or Associate?





	Jan 2024	July 2023	Jan 2023	July 2022	Jan 2022	July 2021	Jan 2021	July 2020	Jan 2020	July 2019	Jan 2019	Jul 2018
Fellows	62	64	63	63	75	73	60	65	64	69	69	73
Senior	130	130	127	123	123	121	118	130	128	124	116	119
Members	120	117	108	103	106	105	106	112	109	102	99	101
Associate	44	33	26	26	25	23	28	27	28	30	23	22
International	1	3	3	3	3	3	3	7	7	8	8	10
Affiliates	84	60	53	50	60	56	75	100	90	106	95	87
Honorary	0	0	0	0	1	3	2	2	2	2	2	2
Students	2	1	0	0	0	0	2	2	1	2	2	6
Life Status	43	42	37	26	32	48	30	36	36	32	33	38
Total	443	408	380	368	393	385	424	481	465	475	446	458

n.b.; The Total just above does not double-count the number in the Life Status row as those members are counted within their base member grade.



#### **Future Work**

Building on the work of the last years as outlined above, the IT Committee is exploring these paths forward into the future:

- Ongoing Maintenance
  - managing disk space
  - upgrade software packages
  - monitor backups and server uptime
  - stakeholder support, training, education, and outreach
- Constituent Relationship Management (CRM) operations for current and prospective members with CiviCRM
  - member directory search by tags: geography/discipline/subject and profiles/connections for referral/networking using SearchKit and FormBuilder
  - CPDs restructured on dashboard and SearchKit results
  - Continue to streamline membership application workflow
  - Membership application reference letters submit via Webform
- Content Management System (CMS) improvements
  - Drupal 9/10 upgrade
  - Drupal theme and style upgrades by Stichter
- Extend and support journal management system (Open Journal Systems)
  - join LDAP for usernames/passwords
  - updates
- Single Sign-On: retain authorization for all member functions (Journal, NAFE1, etc.)
  - OpenLDAP with phpLDAPadmin on identity.nafe.org using keycloak
  - gravatar.com for individual photos

Respectfully submitted,

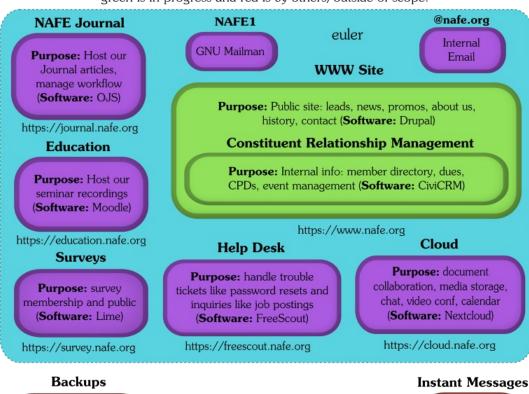
Michael D. Leshner, PE Dr. Michael Stichter, PE Mitch Maifeld, PE Rune Storesund, PE Liberty Janson, PE





# Virtual Private Server

The server is blue and each box is a function where: purple is substantially complete, green is in-progress and red is by others/outside of scope.



Purpose: daily, weekly, monthly site backup (Software: Backblaze B2)

## **NOT** euler

#### **Journal**

ORCiD for authors Crossref DOIs Google Scholar

Purpose: fast communications (Software: Telegram)

#### Video Storage and Delivery

YouTube Channel

#### **Server Monitor**

PHP Server Monitor

#### **Payments**

Paypal and Authorize.net

#### **Software Management**

Softaculous

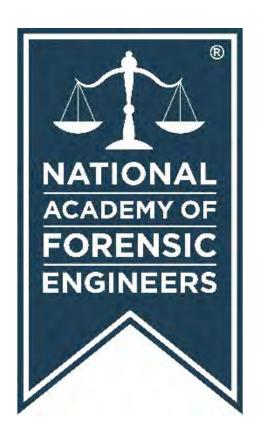
#### Social Media

By Others: LinkedIn

#### Advertising

Google Ads

# DISCIPLINE SPECIFIC





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

WWW.NAFE.ORG

To: Joseph Leane, P.E., D.F.E., C.F.I.

From: Marine Investigation Committee; John Certuse, Dave Aberizk, Gerald Zadikoff, Bill Ver Eecke,

Drew Hains, Hendrik van Hemmen

Date: 1 December 2023

Subject: Marine Investigation Committee Report 1 July Through 31 December 2023

President Leane.

Since our July 2023 Summer Meeting no activities of the marine investigation committee have occurred.

No other new orders of business are presented at this time.

Thank You,

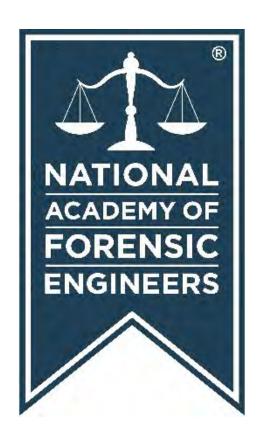
**NATIONAL ACADEMY OF FORENSIC ENGINEERS** 

John P. Certuse, P.E. DFE

John P. Cerus

Marine Investigation Committee Chair and Past President, NAFE

# EXECUTIVE DIRECTOR'S REPORT





Tel: 813.948.8010 Dir: 813.279.2153

WWW.NAFE.ORG

To: Board of Directors

From: Monika Schulz, CAE, Interim Executive Director

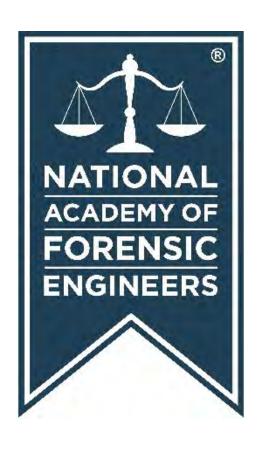
The management team has been partnering with NAFE leadership to further the organization and its program of work. Activities over the past six months included:

- 1) Coordination with vendors, hotel for the 2024 NAFE winter conference
- 2) Preparation for site selection for the summer 2024 NAFE conference
- 3) Collaborating with Daniel Couture, NAFE Conference liaison on conference deliverables
- 4) With team, servicing members through NAFE communication channels
- 5) Collaborating with leadership as follow up to the strategic planning process
- 6) Assist as needed with the Executive Director search process
- 7) Assist NAFE Finance Committee with Annual Budget development and preparation
- 8) Assisting volunteer leaders as needed to support the organization including administrative tasks
- 9) Ongoing leadership meetings
- 10) Collaborate with NSPE President as needed

Following the winter 2024 NAFE meeting, the focus will be transitioning ED services to approved ED contractor.

Thank you.

# SECRETARY'S REPORT





Tel: 813.948.8010 Dir: 813.279.2153

WWW.NAFE.ORG

#### Report of the NAFE Secretary – for 2024 Winter Conference

January 8, 2024

**To:** Joe Leane, P.E., DFE (President)

From: James R. Drebelbis, AIA, P.E. (Secretary)

**Re:** Secretary Report of 2023

During 2023, the Board of Directors conducted three virtual meetings:

<u>February 27, 2023</u>. The Board learned that the contract with NSPE will continue month-to-month until a new contract can be finalized. Monika Schultz outlined the objective for the upcoming Strategic Planning. Joe Leane proposed that the budget for the strategic planning consultant be limited to \$10,000 and stated the objective of setting a planning horizon of two conferences ahead and would like to combine NAFE's summer conferences October with NSPE. The board unanimously approved setting the date and location for the 2023 summer conference as July 13 through 16 in Kansas City, MO. The Board unanimously approved NAFE support of Bart Kemper's nomination for NSPE fellow.

May 23, 2023. The need was stated for a budget plan for 2024 and an 18-month planning horizon for upcoming meetings. The target location for the 2024 winter conference is Florida. Locations were being evaluated considering cost and location. The Board will continue planning for the Winter 2024, Summer 2024 and Winter 2025 Conferences. The Nominating Committee is considering individuals to fill the position of Director at Large.

October 30, 2023. The Board discussed the upcoming 2024 Winter Conference and the potential to have sponsors, e.g. SEAK and Rosalie Hamilton. Joe Leane announced the presentation of the President's Award at the 23024 Winter Conference to Bruce Wier for his service to NAFE. Monika Schultz noted that there was a 46% response to the draft of the Strategic Plan. As the proposed changes seemed more than modifications to the Plan, it is recommended that a smaller group be assigned to adjust the Plan. The deadline for submittals for Executive Director has been extended from Oct. 30 to Nov. 3 to include a third submittal. The top two candidates will be interviewed, and their references checked. Locations for the 2024 Summer Conference are being considered. Provide suggestions for locations and panelists by November 6<sup>th</sup>.



Tel: 813.948.8010 Dir: 813.279.2153

WWW.NAFE.ORG

#### Report of the NAFE Secretary – for 2024 Winter Conference

In June a call for applications for Director at Large was sent to the membership. As of October 30, 2023, the Nominating Committee's slate of nominees for NAFE officers and directors is currently:

President Steve Pietropaolo, PE (NAFE 769S)
President-Elect: Michael Aitken, PE (NAFE 1110S))
Senior Vice President: Tonja Koob, PE (NAFE 1152S)
Vice President: Daniel Couture, PE (NAFE 951S)

Treasurer: Bruce Wiers, PE (NAFE 755S)

Secretary: James Drebelbis, PE (NAFE 938S)
Directors-at-Large: Ben Railsback, PE (NAFE 713F)

Respectfully submitted,

James R. Drebelbis, AIA, P.E. NAFE Secretary

# TRESURER'S REPORT





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

WWW.NAFE.ORG

January 6, 2024 To: NAFE BOD

From: Bruce Wiers, NAFE Treasurer <u>bwiers@nederveld.com</u>

Subject: NAFE financial report Summary YTD December 31, 2023,

#### Reports included are:

- 1) Balance Sheet Comparison Current Year-last page 3
- 2) Balance Sheet Comparison Prior Years page 4
- 3) Profit and Loss Comparison Current Year-Prior page 5
- 4) Profit and Loss Comparison Prior Years page 7
- 5) Sales by Product/Service Summary page 9
- 6) Expenses by Vendor Summary page 10
- 7) Transaction List by Vendor page 11

NAFE experienced "record low" cash-on hand since I've been Treasurer. (Jan -2019) in August 2023. (NAFE BOD was made aware) Since then, with great leadership by our President and Executive Director, with phenomenal Committee work, our membership dues receipts and with an impressive 2024 Winter conference attendance, we are going in the right direction. As most organizations have during 2020 through 2022, NAFE finances took a hit. With great prior planning and leadership from our Past, Current Presidents and Executive Director, we've weathered the storm. (we had "money in the bank)

I look forward to working with our "potentially" new executive director and appreciate the advice and support from NSPE Monica Shultz and Carla Graham, and the NSPE team.

Please review these reports prior to the Jan. 19, 2024 BOD meeting. Let me know if you have any questions prior to this meeting and email me your questions. Questions asked to me during the BOD meeting will likely be answered in future correspondence.

## Management Report

National Academy of Forensic Engineers For the period ended December 31, 2023

Prepared on January 5, 2024

### **Table of Contents**

Balance Sheet Comparison Current Year-Last	3
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Profit and Loss Comparison Current Year-Prior	5
Profit and Loss Comparison Prior Years	7
Sales by Product/Service Summary	9
Expenses by Vendor Summary	10
Transaction List by Vendor	11

### **Balance Sheet Comparison Current Year-Last**

As of December 31, 2023

		Total
	As of Dec 31, 2023	As of Dec 31, 2022 (PY)
ASSETS		
Current Assets		
Bank Accounts		
1st Bank Checking	0.00	0.00
Chase Checking	115,432.64	51,338.32
Chase Savings	30,066.48	100,053.01
PayPal	996.65	11,163.51
Total Bank Accounts	146,495.77	162,554.84
Accounts Receivable		
Accounts Receivable	0.00	0.00
Total Accounts Receivable	0.00	0.00
Other Current Assets		
Undeposited Funds	0.00	0.00
Total Other Current Assets	0.00	0.00
Total Current Assets	146,495.77	162,554.84
Fixed Assets		
Property & Equipment, Computers	0.00	0.00
Total Fixed Assets	0.00	0.00
TOTAL ASSETS	\$146,495.77	\$162,554.84
LIABILITIES AND EQUITY		
Liabilities		
Total Liabilities		
Equity		
Opening Bal Equity	0.00	0.00
Unrestricted Net Assets	162,554.84	190,460.48
Net Income	-16,059.07	-27,905.64
Total Equity	146,495.77	162,554.84
TOTAL LIABILITIES AND EQUITY	\$146,495.77	\$162,554.84

### **Balance Sheet Comparison Prior Years**

As of December 31, 2021

		Total
	As of Dec 31, 2021	As of Dec 31, 2020 (PY)
ASSETS		
Current Assets		
Bank Accounts		
1st Bank Checking	0.00	0.00
Chase Checking	57,708.48	64,115.61
Chase Savings	100,033.36	50,000.90
PayPal	32,718.64	23,311.53
Total Bank Accounts	190,460.48	137,428.04
Accounts Receivable		
Accounts Receivable	0.00	0.00
Total Accounts Receivable	0.00	0.00
Other Current Assets		
Undeposited Funds	0.00	0.00
Total Other Current Assets	0.00	0.00
Total Current Assets	190,460.48	137,428.04
Fixed Assets		
Property & Equipment, Computers	0.00	0.00
Total Fixed Assets	0.00	0.00
TOTAL ASSETS	\$190,460.48	\$137,428.04
LIABILITIES AND EQUITY		
Liabilities		
Total Liabilities		
Equity		
Opening Bal Equity	0.00	0.00
Unrestricted Net Assets	137,428.04	183,203.01
Net Income	53,032.44	-45,774.97
Total Equity	190,460.48	137,428.04
TOTAL LIABILITIES AND EQUITY	\$190,460.48	\$137,428.04

## Profit and Loss Comparison Current Year-Prior

January - December 2023

		Total
	Jan - Dec 2023	Jan - Dec 2022 (PY)
INCOME		
Application Fees	256.25	687.50
Interest Income (Dividends)	13.47	19.65
Membership Dues	108,400.00	104,615.18
Miscellaneous Income		
Seminar Income #	173,235.00	96,761.15
Total Miscellaneous Income	173,235.00	96,761.15
Publication Sales	858.14	941.04
Total Income	282,762.86	203,024.52
GROSS PROFIT	282,762.86	203,024.52
EXPENSES		
Dues and Subscriptions	590.00	300.00
Education/Seminars		
Honorarium (Education Seminars)	28,594.61	
Office & Phone Exp (EdChm)	416.20	
Office Supplies (EdChm)	76.92	216.11
Postage & Shipping (EdChm)		122.17
Rooms	2,934.10	
Total Education/Seminars	32,021.83	338.28
Executive Director		
Contract Fee	101,733.34	109,000.00
Lodging & Meals (ExecDir)	221.70	66.36
Miscellaneous Expense	1,465.47	
Travel (ExecDir)	8,248.68	2,987.66
Total Executive Director	111,669.19	112,054.02
Headquarters Exp		
Office Exp (H/Q)		
Postage & Shipping (H/Q)	1,724.09	520.05
Total Office Exp (H/Q)	1,724.09	520.05
Total Headquarters Exp	1,724.09	520.05
Journals		
Editing (Journals)	30,275.00	30,324.99
Total Journals	30,275.00	30,324.99
Other Expenses		
Advertising	790.12	499.82
Bank Charge	20,311.57	11,177.64
CESB, Annual Dues	10,600.00	5,300.00
Computer Software, Maint	560.74	2,232.69

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		IOIAI
	Jan - Dec 2023	Jan - Dec 2022 (PY)
Insurance	2,514.00	2,449.00
Miscellaneous Exp	224.00	370.00
Plaques, Awards & Gifts		366.27
Prof Services, Accout & Legal	1,325.00	
Total Other Expenses	36,325.43	22,395.42
Seminar Exp #		
Meals		
Meals, Bkfst, Exp	9,127.94	8,686.84
Meals, BLun, Exp	12,552.98	15,073.12
Meals, Din, Exp #	11,468.19	24,520.13
Total Meals	33,149.11	48,280.09
Meeting Room, AV Equip	43,950.04	11,586.30
Print Handout Mtls, Handbooks		1,352.36
Refreshments, AM & PM	8,050.49	3,642.14
Stipend, Registration Asst	1,000.00	
Total Seminar Exp #	86,149.64	64,860.89
Treasurer, Office Exp		
Office Supplies (Treas)		136.51
Postage & Shipping (Treas)	66.75	
Total Treasurer, Office Exp	66.75	136.51
Total Expenses	298,821.93	230,930.16
ET OPERATING INCOME	-16,059.07	-27,905.64
ET INCOME	\$ -16,059.07	\$ -27,905.64

## **Profit and Loss Comparison Prior Years**

January - December 2021

		Tota
	Jan - Dec 2021	Jan - Dec 2020 (PY)
NCOME		
Application Fees	2,325.00	5,693.75
Interest Income (Dividends)	32.46	53.73
Membership Dues	74,621.66	92,975.00
Miscellaneous Income		
Seminar Income #	90,368.13	56,400.00
Total Miscellaneous Income	90,368.13	56,400.00
Publication Sales	593.82	1,161.53
Sales		0.00
Total Income	167,941.07	156,284.01
GROSS PROFIT	167,941.07	156,284.01
EXPENSES		
Board of Directors		
Travel, BOD Mtgs, to/from (BOD)	584.22	
Total Board of Directors	584.22	
Dues and Subscriptions		360.00
Executive Director		
Contract Fee	43,600.00	85,400.00
Miscellaneous Expense	1,289.60	350.16
Travel (ExecDir)		10,681.22
Total Executive Director	44,889.60	96,431.38
Headquarters Exp		
Office Exp (H/Q)		
Computer & Internet (H/Q)	286.99	
Postage & Shipping (H/Q)	225.07	1,925.82
Total Office Exp (H/Q)	512.06	1,925.82
Total Headquarters Exp	512.06	1,925.82
Journals	25.00	
Editing (Journals)	30,420.40	30,000.00
Total Journals	30,445.40	30,000.00
Other Expenses		
Advertising	2,996.49	5,394.47
Bank Charge	9,036.69	8,043.03
CESB, Annual Dues	200.00	5,300.00
Computer Software, Maint	516.01	619.75
Insurance	1,916.00	1,915.00
Miscellaneous Exp	25.00	148.00
NAFE.org Web Site	3,664.51	5,174.75

		Iolai
	Jan - Dec 2021	Jan - Dec 2020 (PY)
Plaques, Awards & Gifts		318.53
Total Other Expenses	18,354.70	26,913.53
Seminar Exp #		
Meals		
Meals, Bkfst, Exp	2,798.92	10,072.86
Meals, BLun, Exp	3,682.80	13,829.98
Meals, Din, Exp #		8,510.96
Total Meals	6,481.72	32,413.80
Meeting Room, AV Equip	9,189.47	7,259.19
Print Handout Mtls, Handbooks	90.05	1,676.49
Refreshments, AM & PM	4,361.41	4,692.38
Total Seminar Exp #	20,122.65	46,041.86
Treasurer, Office Exp		240.00
Office Supplies (Treas)		146.39
Total Treasurer, Office Exp		386.39
Total Expenses	114,908.63	202,058.98
ET OPERATING INCOME	53,032.44	-45,774.97
NET INCOME	\$53,032.44	\$ -45,774.97

# Sales by Product/Service Summary

January - December 2023

				Total
	Quantity	Amount	% of Sales	Avg Price
Affiliate	71.50	10,725.00	3.80 %	150.00
Application Fee	4.00	256.25	0.09 %	64.0625
Associate Member	45.00	10,125.00	3.58 %	225.00
Fellow	49.00	17,150.00	6.07 %	350.00
Journal Sales	33.00	905.00	0.32 %	27.4242424
Life Member	27.00	2,700.00	0.96 %	100.00
Member	113.00	28,250.00	10.00 %	250.00
NAFE Summer Seminar	106.50	67,022.50	23.73 %	629.3192488
NAFE Winter Seminar	119.00	106,212.50	37.60 %	892.5420168
Senior	129.50	39,150.00	13.86 %	302.3166023
TOTAL		\$282,496.25	100.00 %	

# **Expenses by Vendor Summary**

January - December 2023

	Total
Authnet Gateway	308.65
Cayan/Global Pay	11,168.03
CESB	10,600.00
Ellen Parson	30,504.75
Hotel Contessa	26,629.81
INCORP	148.00
InterCity Agency, Inc.	2,264.00
Jeffrey D Armstrong	1,097.98
JPMorgan Chase	285.00
McCoy Leavitt Laskey	2,652.80
Merchant Service	8,549.89
Nederveld	1,222.75
NSPE	139,103.22
PayPal	46.86
Practicing Institute of Engineering, Inc.	300.00
SEAK, Inc.	17,356.60
Sheraton Hotel	43,103.77
Zenzic Research	3,226.68
TOTAL	\$298,568.79

# Transaction List by Vendor

January - December 2023

Date	Transaction Type	Num	Posting Memo/Description	Account	Amount
Authnet Gatew	ay				
01/03/2023	Expense	ACH	Yes	Chase Checking	-26.35
02/02/2023	Expense	ACH	Yes	Chase Checking	-26.10
03/02/2023	Expense	ACH	Yes	Chase Checking	-25.55
04/04/2023	Expense	ACH	Yes	Chase Checking	-25.25
05/01/2023	Expense	ACH	Yes	Chase Checking	-25.05
06/02/2023	Expense	ACH	Yes	Chase Checking	-25.75
07/03/2023	Expense	ACH	Yes	Chase Checking	-25.80
08/02/2023	Expense	ACH	Yes	Chase Checking	-25.55
09/05/2023	Expense	ACH	Yes	Chase Checking	-25.20
10/03/2023	Expense	ACH	Yes	Chase Checking	-25.35
11/02/2023	Expense	ACH	Yes	Chase Checking	-26.35
12/04/2023	Expense	ACH	Yes	Chase Checking	-26.35
Cayan/Global	Pay				
07/03/2023	Expense	ACH	Yes	Chase Checking	-2,020.52
08/02/2023	Expense	ACH	Yes	Chase Checking	-809.25
09/01/2023	Expense	ACH	Yes	Chase Checking	-336.41

Date	Transaction Type	Num	Posting	Memo/Description	Account	Amount
10/02/2023	Expense	ACH	Yes		Chase Checking	-376.64
11/02/2023	Expense	ACH	Yes		Chase Checking	-3,781.29
12/04/2023	Expense	ACH	Yes		Chase Checking	-3,843.92
CESB						
04/11/2023	Bill Payment (Check)	1992	Yes		Chase Checking	-5,300.00
11/20/2023	Bill	2024 Dues	Yes		Accounts Payable	5,300.00
12/07/2023	Bill Payment (Check)	2013	Yes		Chase Checking	-5,300.00
Ellen Parson						
01/10/2023	Check	1984	Yes	January 2023	Chase Checking	-2,500.00
02/15/2023	Check	1987	Yes	February 2023	Chase Checking	-2,500.00
03/10/2023	Check	1988	Yes	March 2023	Chase Checking	-2,500.00
04/11/2023	Check	1991	Yes	April 2023	Chase Checking	-2,500.00
05/15/2023	Check	1994	Yes	May 2023	Chase Checking	-2,500.00
06/14/2023	Check	1996	Yes	Voided	Chase Checking	0.00
06/14/2023	Check	1997	Yes	June 2023	Chase Checking	-2,500.00
07/12/2023	Check	2000	Yes	July 2023	Chase Checking	-2,500.00
08/15/2023	Check	2005	Yes	August 2023	Chase Checking	-2,500.00
09/18/2023	Check	2007	Yes	September 2023	Chase Checking	-2,500.00

Date	Transaction Type	Num	Posting	Memo/Description	Account	Amount
09/24/2023	Bill	REIMB	Yes	Adobe/Plag Scan Credit Reimbursement	Accounts Payable	504.75
10/16/2023	Check	2008	Yes	October 2023	Chase Checking	-2,500.00
10/16/2023	Bill Payment (Check)	2010	Yes		Chase Checking	-504.75
11/14/2023	Check	2011	Yes	November 2023	Chase Checking	-2,500.00
12/07/2023	Check	2012	Yes	December 2023	Chase Checking	-2,500.00
Hotel Contessa	a					
01/04/2023	Check	Cahier's Check	Yes		Chase Checking	-26,629.81
INCORP						
06/27/2023	Bill	3302028	Yes		Accounts Payable	148.00
07/05/2023	Bill Payment (Check)	1998	Yes		Chase Checking	-148.00
InterCity Agend	cy, Inc.					
01/20/2023	Bill	113248	Yes	Inv. 113248; Policy No. PHSD1766080	Accounts Payable	2,264.00
02/09/2023	Bill Payment (Check)	1985	Yes		Chase Checking	-2,264.00
Jeffrey D Arms	strong					
03/14/2023	Bill	CESB Annual Meeting	Yes		Accounts Payable	1,097.98

Date	Transaction Type	Num	Posting Memo/Description	Account	Amount
04/11/2023	Bill Payment (Check)	1993	Yes	Chase Checking	-1,097.98
JPMorgan Cha	ase				
09/06/2023	Expense	ACH	Yes	Chase Checking	-95.00
10/04/2023	Expense	ACH	Yes	Chase Checking	-95.00
11/03/2023	Expense	ACH	Yes	Chase Checking	-95.00
McCoy Leavitt	Laskey				
08/31/2023	Bill	3750-000M	Yes	Accounts Payable	2,652.80
10/16/2023	Bill Payment (Check)	2009	Yes	Chase Checking	-2,652.80
Merchant Serv	ice				
01/03/2023	Expense	ACH	Yes	Chase Checking	-3,916.76
02/02/2023	Expense	ACH	Yes	Chase Checking	-1,566.02
03/02/2023	Expense	ACH	Yes	Chase Checking	-545.66
04/03/2023	Expense	ACH	Yes	Chase Checking	-330.10
05/01/2023	Expense	ACH	Yes	Chase Checking	-271.36
06/05/2023	Expense	ACH	Yes	Chase Checking	-1,919.99

#### Nederveld

Date	Transaction Type	Num	Posting Memo/Description	Account	Amount
03/03/2023	Bill	3.3.23	Yes	Accounts Payable	1,115.00
03/10/2023	Bill Payment (Check)	1990	Yes	Chase Checking	-1,115.00
12/21/2023	Bill	12.21.23	Yes	Accounts Payable	107.75
12/21/2023	Bill Payment (Check)	2015	Yes	Chase Checking	-107.75
NSPE					
02/13/2023	Bill	Hotel Contesa	Yes	Accounts Payable	5,637.07
02/15/2023	Bill Payment (Check)	1986	Yes	Chase Checking	-5,637.07
02/28/2023	Bill	NAFE-2022-QTR4-Svcs	Yes	Accounts Payable	21,800.00
02/28/2023	Bill		Yes	Accounts Payable	4,369.51
03/10/2023	Bill Payment (Check)	1989	Yes	Chase Checking	-26,169.51
07/17/2023	Bill	NAFE-2023-QTR1-Exp	Yes	Accounts Payable	1,317.21
07/17/2023	Bill	NAFE-2023-QTR1-Svcs	Yes	Accounts Payable	21,800.00
07/18/2023	Bill	NAFE-2022-QTR2-Exp	Yes	Accounts Payable	12,539.45
08/02/2023	Bill Payment (Check)	2001	Yes	Chase Checking	-23,117.21
08/08/2023	Bill	NAFE-2023-QTR2-Svcs	Yes	Accounts Payable	21,800.00
08/08/2023	Bill	NAFE-2023-QTR2-Exp	Yes	Accounts Payable	1,647.71
08/15/2023	Bill Payment (Check)	2004	Yes	Chase Checking	-23,447.71
08/30/2023	Bill Payment (Check)	2006	Yes	Chase Checking	-12,539.45
12/19/2023	Bill	NAFE-2023-ATR2&3-Exp	Yes	Accounts Payable	11,858.93

Date	Transaction Type	Num	Posting	Memo/Description	Account	Amount
12/19/2023	Bill	NAFE-2023-QTR3&4-Svcs	Yes		Accounts Payable	36,333.34
12/21/2023	Bill Payment (Check)	2014	Yes		Chase Checking	-48,192.27
PayPal						
03/31/2023	Expense	ACH	Yes	March 2023 Fees	PayPal	-1.36
04/30/2023	Expense	ACH	Yes	Fees for April 2023	PayPal	-8.72
05/31/2023	Expense	ACH	Yes	Fees for May 2023	PayPal	-4.84
06/30/2023	Expense	ACH	Yes	Fees for June 2023	PayPal	-8.70
07/31/2023	Expense	ACH	Yes	Fees for July 2023	PayPal	-3.08
08/31/2023	Expense	August 2023	Yes	Fees for August 2023	PayPal	-6.98
09/30/2023	Expense	September 2023	Yes	Fees for September 2023	PayPal	-1.54
10/31/2023	Expense	ACH	Yes	Fees for September 2023	PayPal	-4.08
11/30/2023	Expense	ACH	Yes	Fees for September 2023	PayPal	-2.72
12/31/2023	Expense	ACH	Yes	Fees for September 2023	PayPal	-4.84
Practicing Insti	tute of Engineering, Inc.					
06/02/2023	Bill		Yes		Accounts Payable	300.00
06/02/2023	Bill Payment (Check)	1995	Yes		Chase Checking	-300.00

SEAK, Inc.

Date	Transaction Type	Num	Posting	Memo/Description	Account	Amount
07/21/2023	Bill	INV-000253	Yes		Accounts Payable	17,356.60
08/02/2023	Bill Payment (Check)	2002	Yes		Chase Checking	-17,356.60
Sheraton Hot	el					
07/31/2023	Bill	29S30012967	Yes	29\$30012967	Accounts Payable	43,103.77
08/02/2023	Bill Payment (Check)	2003	Yes		Chase Checking	-43,103.77
Zenzic Resea	arch					
06/29/2023	Bill	1034	Yes		Accounts Payable	3,226.68
07/05/2023	Bill Payment (Check)	1999	Yes		Chase Checking	-3,226.68



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WWW.NAFE.ORG

January 7, 2024

NAFE BOD proposal from Bruce Wiers, Treasurer

RE: Credit card processing fees.

#### **Background:**

When NAFE began accepting credit card for payments (membership, conference) the amount of participants was far less than it currently is. NAFE charges the same amount to members and conference participants who pay by check or by credit card and currently the Academy absorbs the cost for the benefit of immediate payment. NAFE's current third-party processor for credit cards is Tsys and we use authorize net as our payment gateway. During review we determined that the processing fees seemed abnormally high. The 2023 cost for credit card fees was approximately \$19,000 or 7.25% of payments collected. To ensure that costs remain competitive we requested a quote from Comerica Merchant Services (CMS). The quote from CMS would lower credit card processing fees to 3.75%. It's becoming more common to see a surcharge or fee when paying by credit card. Organizations utilize these surcharges to cover the costs of processing card payments, effectively passing the costs to customers. This is an option for NAFE, but it would involve moving to a new payment gateway as authorize.net does not support surcharging. Along with their quote, CMS recommended a payment gateway solution that would support surcharging. There are legalities around surcharging that would need to be considered. NAFE would need to ensure the surcharge is not more than the actual processing costs, the surcharge needs to be separately stated on any payment receipt, and it must be disclosed clearly on the payment gateway or website that a surcharge will be imposed.

#### **Proposal Options:**

- 1) Switch third-party processor from Tsys to CMS and remain with authorize.net as the payment gateway. This switch would save NAFE an estimated \$9,000 per year with very little operational impact since the payment gateway would remain unchanged. This option would still leave NAFE with about \$10,000 in card processing costs with CMS.
- 2) Switch third-party processor from Tsys to CMS and surcharge all credit card payments. This would involve also switching to the CMS recommended payment gateway (Slim CD) from authorize.net. This option would allow NAFE to recoup most card processing costs saving approximately \$19,000 per year at current volume.
  - a. Example 1 (3.75% fee charged):
    - i. \$250 membership fee paid by credit card will be \$259.38.
    - ii. \$1300 conference fee paid by credit card will be \$1,348.75.
    - iii. They are no additional fees if paying by check.

# PRESIDENT'S REPORT





1420 King Street Alexandria, VA 22314-2794

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WWW.NAFE.ORG

January 12, 2024

Memorandum

To: NAFE Board of Directors

From: Joseph Leane, PE, DFE, President

Re: President Report

In 2023, the National Academy of Forensic Engineers (NAFE) accomplished an active and productive year, advancing the priorities established in our mission statement. We also moved forward on initiatives to ensure excellent future leadership of the Academy, including embarking on a strategic planning process and hiring a permanent executive director.

#### **Mission Work**

NAFE's Mission Statement affirms our commitment to serving the public, the jurisprudential system and academy members. We advanced our mission with the following accomplishments.

- Advancing the ethical and professional practice of forensic engineering.
  - NAFE members conducted hundreds of forensic investigations and testified as expert forensic engineers in depositions and trials in 2023.
- Certifying individuals have achieved expertise in forensic engineering.
  - o NAFE certified fifteen new Diplomate Forensic Engineers (DFEs).
- Furthering the development of forensic engineers through education and the publication of peer-reviewed technical literature.
  - Two educational conferences were held in 2023, in January in San Antonio, Texas, and in July in Kansas City, Missouri.
  - Two volumes of the Journal of the National Academy of Forensic Engineers were published that included 14 peer reviewed technical papers authored by NAFE members.
  - NAFE assured our members complied with our mandatory Continuing Professional Development program.

#### **NAFE 2023 Winter Conference**

The NAFE 2023 winter conference was held in January at the Contessa Hotel in San Antonio, Texas. Saturday was filled with technical presentations by our members on methodologies, tools



and case studies related to a variety of forensic engineering practice subjects. Sunday presentations included practical aspects of Daubert challenges and ethics.

#### **2023 Summer Conference**

The NAFE 2023 summer conference was held July 14 through 16 at the Sheraton Kansas City at Crown Center in Kansas City, Missouri. Our Saturday Technical Seminar had Structural, Electrical, Fire and Vehicle Collision topics. Our Sunday Education Day theme was to teach the academy members the strategies of successful forensic engineering.

#### Strategic planning

NAFE embarked on a strategic planning process to define our vision for the future and develop a roadmap to get there, to assure we are best serving our membership. The Board of Directors and several members attended a day-long workshop in July 2023. The attendees reaffirmed NAFE's mission statement, and they drafted strategic planning pillars. Those pillars were then refined and a draft framework will be approved at the January 19<sup>th</sup> board meeting. Then the next step in the process is to then obtain membership input as we finalize the plan. More information to follow this spring.

#### **Executive Director**

NAFE is proud to announce our new Executive Director Amanda Hendley of Association Catalyst, LLC. NAFE embarked on and concluded an executive director search via a committee chaired by Past President Liberty Janson and President Elect Steve Pietropaolo. I thank the committee for their critical work. The Board approved a three-year agreement on January 9, 2024. We look forward to working with Amanda and benefiting from her expert guidance. NSPE has been providing administrative services with Monika Schulz as the Executive Director and Carla Grahm as the Executive Secretary. I thank Monika and Carla for their outstanding leadership and work.

#### **2024 Winter Conference**

The NAFE 2024 winter conference will be held January 19-21, 2024, at the Shores Resort & Spa in Daytona Beach, Florida. The conference will include a Board of Directors meeting on the morning of Friday January 19, a tour of Embry-Riddle Aeronautical University that afternoon, and a happy hour and awards dinner that evening. A full-day of technical presentations will occur Saturday and a full-day of educational topic will occur Sunday. Saturday's Technical Session feature presentations on a variety of topics including sidewalk microtexture measurement, fires caused by open neutrals, cannabis industry forensics, applying reverse projection photogrammetry, and artificial intelligence (AI) applications. Our Education Sunday theme is: Expand the horizons of your forensic engineering practice based on examples from peer experience. Over one hundred members have registered for the conference, which is the highest attendance in years. See you there!



The success of this conference is due to the hard work of many people, especially the Technical Review Committee led by Bart Kemper and Ellen Parson, the Education Committee led by Zohaib Alvi, Conference Coordinator Dan Couture, President Elect Steve Pietropaolo, Monika Schulz and Carla Grahm - thank you.

#### NAFE President's Distinguished Service Award:

This award recognizes a NAFE member for their exceptional, sustained, and on-going volunteer contributions to the Academy. The President will present a plaque to the awardee at the dinner of the Winter meeting. This year's awardee is Mr. Bruce Wiers, PE, CFI, DFE. Bruce has served the Academy for more than a decade in various roles including CPD Chair, Treasurer and Board member.

#### **Committee Work**

NAFE is a volunteer organization and, accordingly, our service commitment is achieved by volunteer dedication through the critical work our committees perform. On behalf of the Board, I sincerely thank the members generously giving their time working on committees as chairs and members. I also thank the Board of Directors for your service to the Academy.

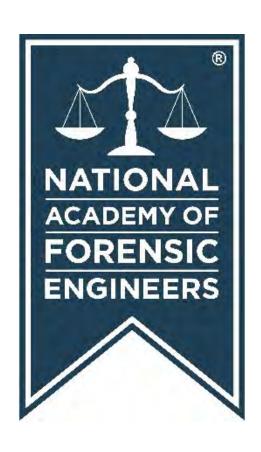
Finally, and most importantly, the Academy would not exist without the support and engagement of the members. Thank you all for your commitment to NAFE.

Joseph Leane, P.E., D.F.E.

Joseph J. Leave

2023-2024 NAFE President

# Bylaws Revision





1420 King Street Alexandria, VA 22314-2794

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

WWW.NAFE.ORG

November 28, 2023

To: NAFE Bylaws Committee, NAFE President

From: Liberty L. Janson, PE

Re: Governing Documents Edit – Removing Executive Secretary and Executive Director

Emeritus

The NAFE Governing Documents currently refer to two formal positions which are no longer applicable to the function or staffing of the Academy. I propose the attached changes to the Governing Documents. As these changes do not alter the intent of the relevant clauses or the function of the Academy, I believe they may be considered administrative changes and occur without Board action.

#### **Background:**

The NAFE Board named Marvin M. Specter, PE, LS the Executive Director Emeritus in honor of his significant contribution to the National Academy of Forensic Engineers and the practice of Forensic Engineering. Mr. Specter continued to provide active services and guidance to the academy until his passing in 2019. While NAFE continues to honor Mr. Specter with the title of Executive Director Emeritus, the position is no longer an active role in the function of the Academy.

In 2020, NAFE established the position of Executive Secretary to facilitate transition between Executive Directors. The position was defined as the administrative tasks included in the previously established Executive Director job description. The role was made redundant when the Executive Director was formally replaced in 2021, but retained out of respect for our Executive Secretary, Mary Ann Cannon. Following Ms. Cannon's retirement in 2022, the position remains vacant.

#### **Proposed Revisions:**

To reflect the actual function of the Academy, I propose removing Executive Director Emeritus and Executive Secretary wherever they occur. The specific revisions are attached for the Bylaws Committee's consideration.

#### **Peripheral Revisions:**

In addition to the Executive Director Emeritus, NAFE OP16 references Memberclicks which is an outdated reference. I propose more general language for the NAFE Membership Directory, regardless of medium.

#### <u>Proposed Revisions to NAFE Governing Documents Removing Executive Director Emeritus</u> <u>and Executive Secretary</u>

**Bylaws:** 

Original:

#### ARTICLE VIII BOARD OF DIRECTORS

#### 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. The Board shall annually determine the size and composition of the Board within the structure established in the Articles of Incorporation and fill Board vacancies as necessary.

Proposed Mark-up with Tracking:

#### ARTICLE VIII BOARD OF DIRECTORS

#### Section 2. Duties and Powers

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Deleted: or Executive Secretary

Proposed (No Mark-Up):

#### ARTICLE VIII BOARD OF DIRECTORS

#### 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 and other officials. The Board shall annually determine the size and composition of the Board within the structure established in the Articles of Incorporation and fill Board vacancies as necessary.

Original:

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

#### 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.

Proposed Mark-up with Tracking:

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

#### Section 6. Executive Director,

The Executive Director, if 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, 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.

Proposed (No Mark-Up):

#### Section 6. Executive Director

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#### **Appendices:**

Original:

#### 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.

Proposed Mark-up with Tracking:

#### NAFE OP No. 7 -VERIFICATION OF MEMBER STATUS

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Proposed (No Mark-Up):

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Original:

#### NAFE OP No. 16 -NAFE MENTORSHIP PROGRAM

- The program's objective is to provide a service to help NAFE members stay current, relevant, and focused on the critical standards of ethical forensic engineering practice and to enhance member retention, initiate member involvement, expand member education, and address member concerns by matching highly experienced forensic engineers with experienced engineers that either are new or less experienced in the practice of forensic engineering.
- 2. There are two avenues available for mentoring. For members, non-members, students, and the general public, information and advice on forensic engineering practice may be obtained by contacting the Executive Director Emeritus, whose availability and contact information is listed on the Academy's website. The Executive Director Emeritus refers those interested in Academy membership to the Executive Director.
  - For NAFE dues payers, a mentoring program is available and administered by the mentoring committee. The program provides the opportunity to discuss non-technical topics, such as effectively working with attorneys, FE business aspects such as marketing services, contracts, retainers, collection issues, reports, deposition/trial issues and problems via periodic telephone or face to face contact, preferably at NAFE seminars.
- a) The President is to appoint the New Member Committee Chair, a current BOD member, or a Past President to be the Mentorship Committee Chair at their option.
- b) There is no membership grade restriction on being a mentee. An affiliate or other member requests a mentor preferably by using their Memberclicks profile to ask for a mentor. The request is confidential and not published on their Memberclicks profile. Those wanting a mentor also may request one by contacting the President, the Executive Director, or the Executive Director Emeritus, who in turn will relay the request to the Mentorship Committee Chair...

Proposed Mark-up with Tracking:

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- d) There is no membership grade restriction on being a mentee. An affiliate or other member requests a mentor preferably by using their <u>on-line member profile</u> to ask for a mentor. The request is confidential and not published on their <u>on-line member profile</u>. Those wanting a mentor also may request one by contacting the President <u>or</u> the Executive Director who in turn will relay the request to the Mentorship Committee Chair...

Proposed (No Mark-Up):

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**Deleted:** The Executive Director Emeritus refers those interested in Academy membership to the Executive Director.

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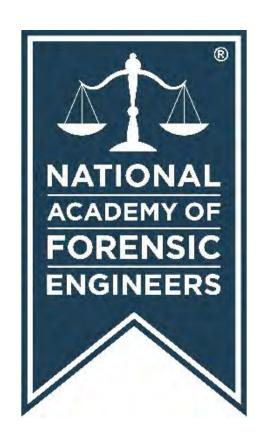
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- services, contracts, retainers, collection issues, reports, deposition/trial issues and problems via periodic telephone or face to face contact, preferably at NAFE seminars.
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# STRATEGIC PLANNING UPDATE



#### **Board of Directors Agenda Item**

Consent Agenda Main Agenda

**Agenda Item Number:** 

Title: NAFE Strategic Plan Draft Approval

#### **Issue Statement**

The NAFE Board of Directors along with key stakeholders have drafted a strategic plan for the organization. The draft once approved by the Board of Directors will move to the next stage of the process which includes collecting member input.

#### **Background**

NAFE convened in summer 2023 a strategic planning session to build a framework for long range goals for the organization. The session included board members as well as key stakeholders. NAFE also contracted with a strategic plan facilitator with expertise working with engineering membership associations.

The purpose of a strategic plan is to ensure that the board approved strategies and objectives are used consistently each year as plans are developed to move the organization toward the agreed upon objectives.

The strategic plan process includes the following steps prior to final approval:

- 1) Draft plan to be approved by the Board of Directors
- 2) Draft plan to be distributed to members for input
- 3) The Board of Directors will review member input and develop final plan
- 4) Final plan for approval by the board
- 5) Once the long range strategic plan is approved, it is operationalized with benchmarks and activities

#### **Nature of Action Required:**

MOVED: That the NAFE Board of Director approves the draft NAFE strategic plan framework to use to collect member input.

#### **NAFE Strategic Plan Draft for Approval**

### **NAFE Vision**

The National Academy of Forensic Engineers and its members are committed to:

- Serving the public by advancing the ethical and professional practice of forensic engineering.
- **Serving the jurisprudential system** by certifying individuals having achieved expertise in forensic engineering.
- **Serving Academy members** and furthering the development of forensic engineers through education and the publication of peer-reviewed technical literature.

### **NAFE Mindsets**

### Who do we serve?

**We primarily serve forensic engineers** past, present, and future and secondarily serve the public through our work with the legal and insurance community, including providing a certification for Forensic Engineers

# What helps us prepare?

We facilitate

- member interaction,
- networking, and
- education
- certification

while harnessing our internal expertise to provide knowledge, skills, and experiences that forensic engineers need to help them face emerging realities.

# How do we improve lives?

We relieve stress through

- fellowship,
- mentorship,
- discussions, and
- professional support and help to increase knowledge, gain access to quality information, and save valuable time.

# Why do we engage?

We have a duty to serve, uphold the highest standards, and improve engineering safety for society through establishing qualifications and elevating the industry by assisting triers of fact. We also improve the quality of the jurisprudence system with education and certification.

# Where are we going?

A future where we are **the home of forensic engineering**, and our public visibility ensures societal understanding of the crucial nature of the work that we do on their behalf.

#### **DRAFT**

#### **NAFE Strategic Focus Areas**

#### Pillar One: Collaborate for the thrill of curiosity

We will build a network of diverse multi-disciplinary engineers to exchange insightful ideas, address unique challenges, and engage in creative conflict.

#### Objectives:

- Leverage a multichannel approach to build and share knowledge.
- Create an equitable community with a strong regional framework.
- Provide a forum for the best and brightest to contribute to solving our greatest challenges.

# Pillar Two: Foster opportunities for learning, networking, and professional engagements

We will welcome new members, offer helpful personal and professional resources, advance the profession of forensic engineering, and employ consistently-ethical practices.

#### Objectives:

- Provide resources for entrepreneurs including best business development practices.
- Broaden the scope of member engagement and interactive participation.
- Partner with the wider engineering community for the betterment of all.

# Pillar Three: Integrate practical knowledge beyond technical skills for present and future forensic engineers.

We will serve as an academy, preparing and certifying individuals who can demonstrate a high degree of expertise in forensic engineering.

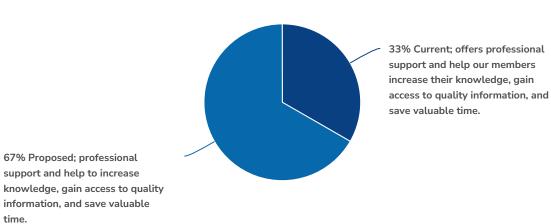
#### Objectives:

- Optimize our certification program for maximum effectiveness.
- Ensure our content is multi-disciplinary and includes a focus on soft skills.
- Expand our education delivery ecosystem to include more on-demand curricula, virtual assemblies and in-person convocations.
- Advance forensic engineering through education and the publication of peer-reviewed technical literature.

# Report for NAFE Strategic Planning Review Survey

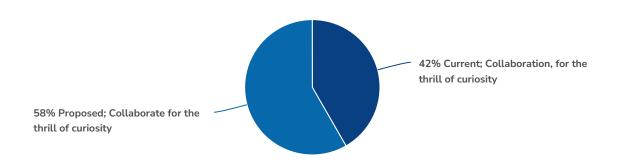


1. How do we improve lives? (please select your preferred options) We relieve stress through fellowship, mentorship, discussions, and offers professional support and help our members increase their knowledge, gain access to quality information, and save valuable time. Please select your preferred option



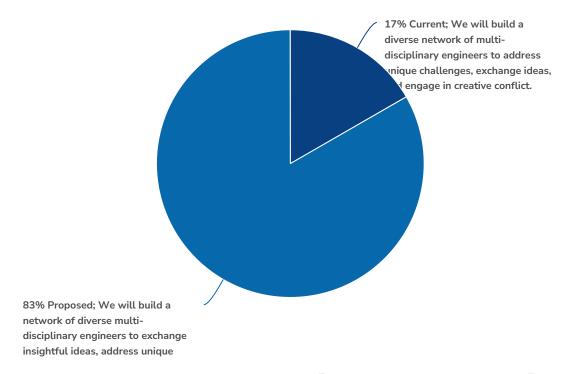
Value	Percent	Responses
Current; offers professional support and help our members increase their knowledge, gain access to quality information, and save valuable time.	33.3%	4
Proposed; professional support and help to increase knowledge, gain access to quality information, and save valuable time.	66.7%	8

# 2. NAFE Strategic Pillars – please mark your preferred options belowPillar One:



Value	Percent	Responses
Current; Collaboration, for the thrill of curiosity	41.7%	5
Proposed; Collaborate for the thrill of curiosity	58.3%	7

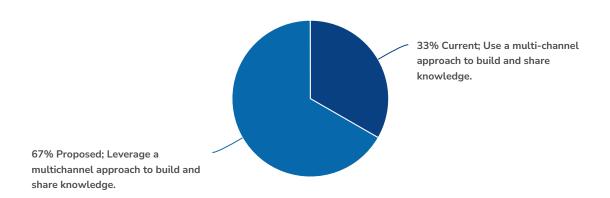
## 3. Please select your preferred option



Value	Percent	Responses
Current; We will build a diverse network of multi- disciplinary engineers to address unique challenges, exchange ideas, and engage in creative conflict.	16.7%	2
Proposed; We will build a network of diverse multi- disciplinary engineers to exchange insightful ideas, address unique challenges, and engage in creative conflict.	83.3%	10

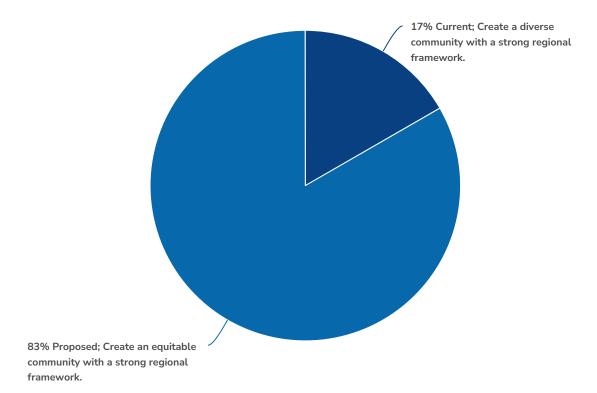
Totals: 12

## 4. Objectives:Please select your preferred option



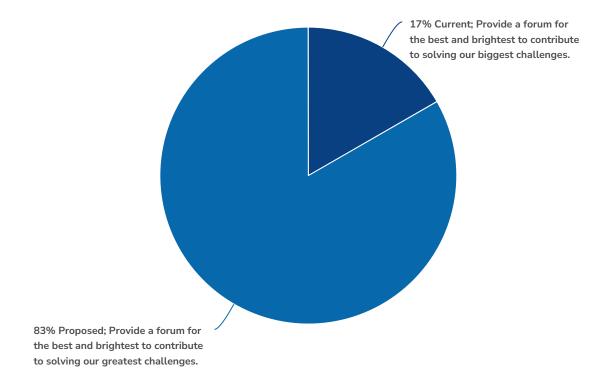
Value	Percent	Responses
Current; Use a multi-channel approach to build and share knowledge.	33.3%	4
Proposed; Leverage a multichannel approach to build and share knowledge.	66.7%	8

## 5. Please select your preferred option



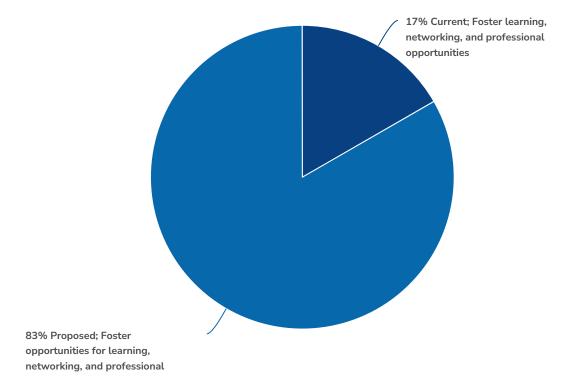
Value	Percent	Responses
Current; Create a diverse community with a strong regional framework.	16.7%	2
Proposed; Create an equitable community with a strong regional framework.	83.3%	10

### 6. Please select your preferred option



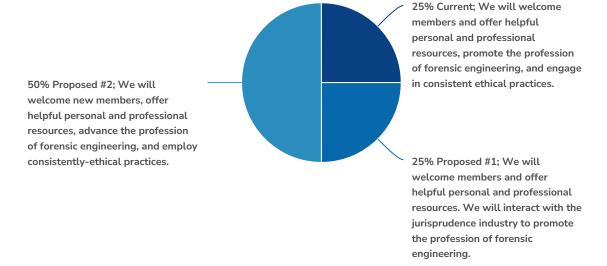
Value	Percent	Responses
Current; Provide a forum for the best and brightest to contribute to solving our biggest challenges.	16.7%	2
Proposed; Provide a forum for the best and brightest to contribute to solving our greatest challenges.	83.3%	10

### 7. Please select your preferred optionPillar Two:



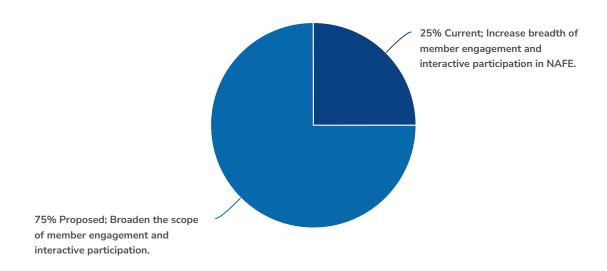
Value	Percent	Responses
Current; Foster learning, networking, and professional opportunities	16.7%	2
Proposed; Foster opportunities for learning, networking, and professional engagements	83.3%	10

### 8. Please select your preferred option



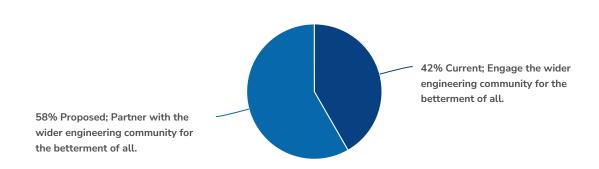
Value	Percent	Responses
Current; We will welcome members and offer helpful personal and professional resources, promote the profession of forensic engineering, and engage in consistent ethical practices.	25.0%	3
Proposed #1; We will welcome members and offer helpful personal and professional resources. We will interact with the jurisprudence industry to promote the profession of forensic engineering.	25.0%	3
Proposed #2; We will welcome new members, offer helpful personal and professional resources, advance the profession of forensic engineering, and employ consistently-ethical practices.	50.0%	6

# 9. Provide resources for entrepreneurs including best business development practices. Please select your preferred option



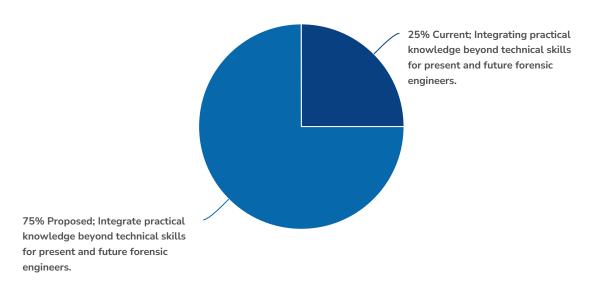
Value	Percent	Responses
Current; Increase breadth of member engagement and interactive participation in NAFE.	25.0%	3
Proposed; Broaden the scope of member engagement and interactive participation.	75.0%	9

### 10. Please select your preferred option



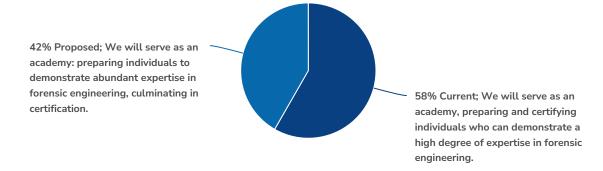
Value	Percent	Responses
Current; Engage the wider engineering community for the betterment of all.	41.7%	5
Proposed; Partner with the wider engineering community for the betterment of all.	58.3%	7

### 11. Please select your preferred optionPillar Three:



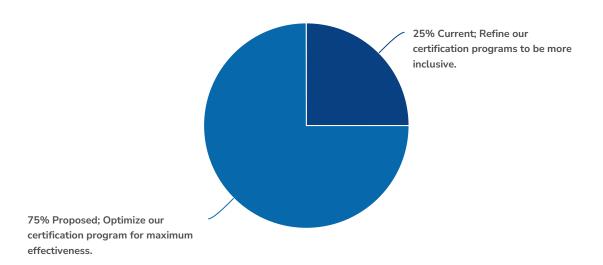
Value	Percent	Responses
Current; Integrating practical knowledge beyond technical skills for present and future forensic engineers.	25.0%	3
Proposed; Integrate practical knowledge beyond technical skills for present and future forensic engineers.	75.0%	9

### 12. Please select your preferred option



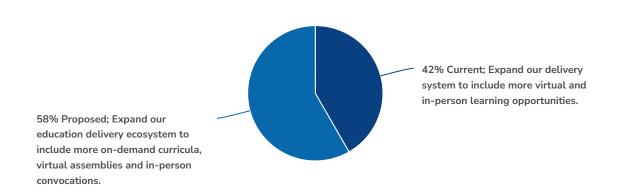
Value	Percent	Responses
Current; We will serve as an academy, preparing and certifying individuals who can demonstrate a high degree of expertise in forensic engineering.	58.3%	7
Proposed; We will serve as an academy: preparing individuals to demonstrate abundant expertise in forensic engineering, culminating in certification.	41.7%	5

### 13. Please select your preferred option



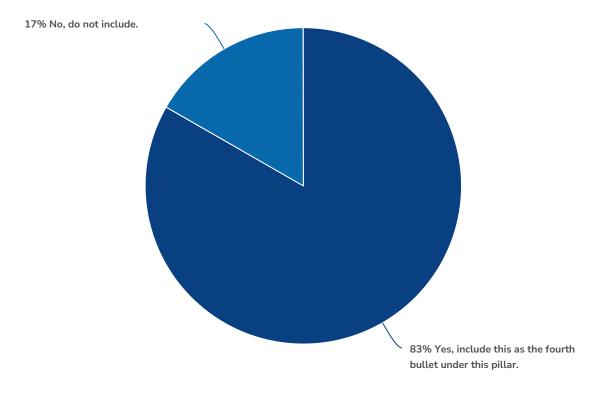
Value	Percent	Responses
Current; Refine our certification programs to be more inclusive.	25.0%	3
Proposed; Optimize our certification program for maximum effectiveness.	75.0%	9

# 14. Ensure our content is multi-disciplinary and includes a focus on soft skills. Please select your preferred option



Value	Percent	Responses
Current; Expand our delivery system to include more virtual and in-person learning opportunities.	41.7%	5
Proposed; Expand our education delivery ecosystem to include more on-demand curricula, virtual assemblies and in-person convocations.	58.3%	7

15. Advance forensic engineering through education and the publication of peer-reviewed technical literature Please select your preferred option



Value	Percent	Responses
Yes, include this as the fourth bullet under this pillar.	83.3%	10
No, do not include.	16.7%	2

# Report for NAFE 2023 Post Summer Conference Survey



# SUMMER 2024 CONFERENCE





1420 King Street Alexandria, VA 22314-2794

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

WWW.NAFE.ORG

### The Summer 2024 NAFE meeting will be held at:

### Sheraton Ann Arbor Hotel in Ann Arbor, Michigan, on July 19-21.

### The meeting schedule is as follows:

Friday, July 19

9am-4pm Board meeting

6pm Reception and Dinner for attendees

Saturday, July 20

8am – 5pm Education

Breakfast, lunch and coffee breaks provided

Sunday, July 21

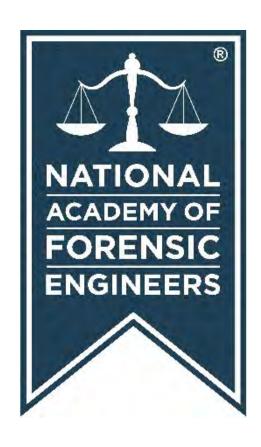
8am – 5pm Education

Breakfast, lunch and coffee breaks provided

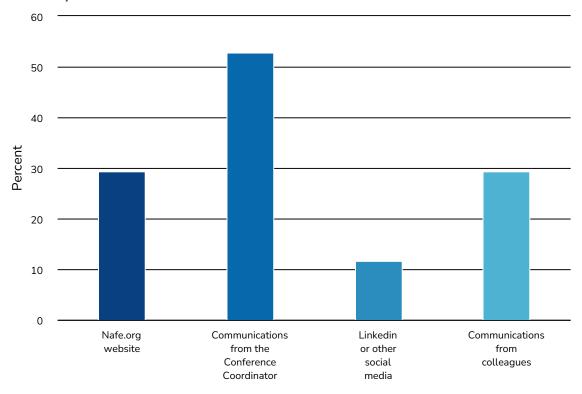
### The details include:

- \$189++ room rate (matches 2023 hotel room rate)
- \$2000 meeting space
- Cost from airport to Ann Arbor taxi approximately \$75 bus \$35
- Closest airport Detroit 21 miles / 25 minutes
- Complimentary wi fi in guest rooms and in meeting rooms
- \$12,500 food and beverage minimum
- 10% discount on av if using in house av contractor

# MEMBERSHIP CULTIVATE NEW MEMBERS/ SURVEY REVIEW

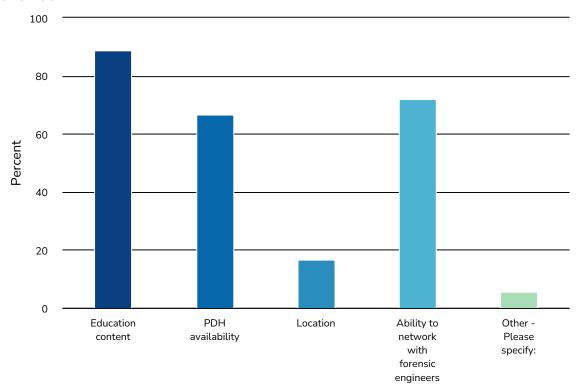


### 1. How did you hear about the 2023 Summer NAFE Conference?



Value	Percent	Responses
Nafe.org website	29.4%	5
Communications from the Conference Coordinator	52.9%	9
Linkedin or other social media	11.8%	2
Communications from colleagues	29.4%	5

# 2. What factors contributed to your decision to attend the recent NAFE conference?



Value	Percent	Responses
Education content	88.9%	16
PDH availability	66.7%	12
Location	16.7%	3
Ability to network with forensic engineers	72.2%	13
Other - Please specify:	5.6%	1

# 3. What was your top reason for attending the 2023 NAFE Summer Conference?

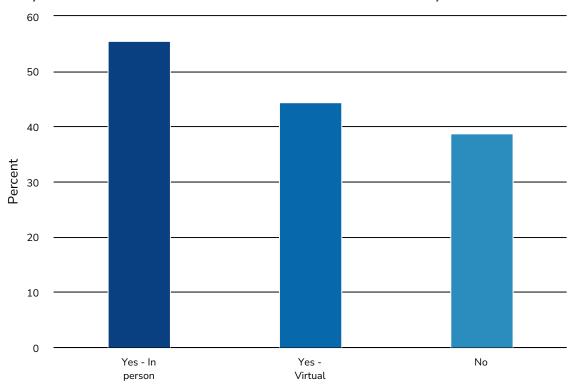
ResponseID	Response	
1	Board duties and networking	
2	Missed a few	
3	I was a speaker	
4	I wanted to become more involved with the organization after stepping back from additional roles with NSPE.	
5	Getting in the habit of attending, so I can develop relationships with other members, as well as the opportunity to learn, both from the presentations and misc. discussions throughout the weekend.	
6	I nearly always attend.	
7	Valued FE training opportunities and networking.	
8	Present a paper on Saturday morning, and network with others in the field.	
9	An interesting assortment of topics and the opportunity to reconnect with old acquantances and to meet new colleagues	
10	Presenting and to learn from more experienced forensic engineers.	
11	keep up to date on other disciplines and to refresh my knowledge on reports and trial strategies	
12	I was interested in attending my first conference to experience the organization in person and learn from the presenters.	
13	To be involved with the organization	
14	Continuing education and supporting the Academy. I'm trying to become more active in the organization.	
15	Present a paper Networking	
16	Sunday programs looked very relevant to my needs.	
17	As I tell others, it is the place where you are NOT the smartest person in the room. ;-)	
18	education, also a presenter	

### 4. Why did you attend in the past?

### ResponselD Response

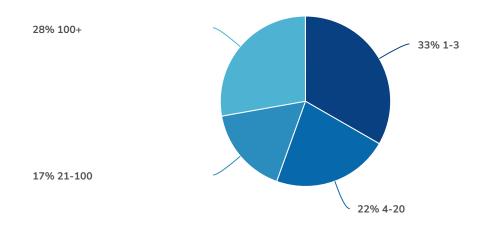
1	Networking and learning	
2	Networking	
3	l was a speaker	
4	Education, networking, and the ability to interact with peers in the only professional organization dedicated to my profession.	
5	I only attended once before to present a paper. Since then, I've been "too busy". I'm trying to fix that.	
6	Same reason. I nearly always attend. NAFE membership and meetings have helped me build my business.	
7	Same	
9	I am a new member and wanted to experience the conference. In addition, due to the location (San Antonio), the wife wanted to join me.	
10	I have not.	
11	to gather CPDs and renew friendships with other forensic engineers	
12	N/A	
13	same	
14	Continuing Education	
16	First time attending	
17	See #3	
18	this was the first one for me	

### 5. Have you attended a NAFE Conference in the last 3 years?



Value	Percent	Responses
Yes - In person	55.6%	10
Yes - Virtual	44.4%	8
No	38.9%	7

### 6. How big is the company you work for?



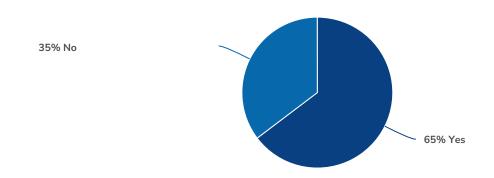
Value	Percent	Responses
1-3	33.3%	6
4-20	22.2%	4
21-100	16.7%	3
100+	27.8%	5

### 7. What technical topics would most interest you in the future?

### ResponselD Response

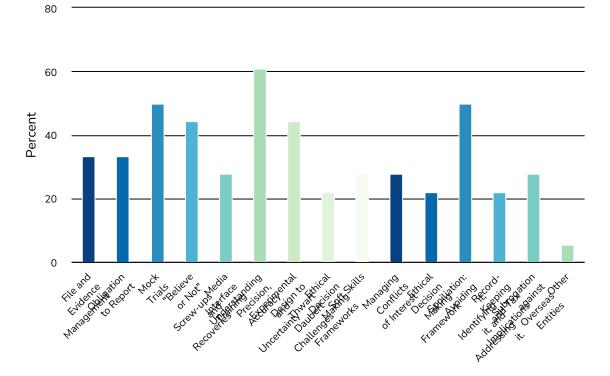
1	Materials		
2	Research		
3	Actually walking through an analysis in some are I don't work in.		
4	Always interested in accident reconstruction and product safety/liability.		
5	Use of Lidar in forensics.		
6	Interesting case histories presenting author's forensic approach. Difficulties overcome. Conflicts resolved. What the author learned as an example to others.		
7	mechanical failure, fire related losses, plumbing failures, fire suppression systems, vehicular reconstruction		
8	Ethics refresher - we all have to do one anyway		
10	Testimony lessons learned/panel/mock trial; building control layer failures, structure failures, vehicle collision reconstruction.		
11	HVAC system breakdowns; Fires in electric or hybrid vehicles; Wind turbine failures; solar panel field failures		
12	Application of studies, papers and standards to how Codes are developed and how changes to the Codes are made (i.e. wind load studies to Building Code requirements).		
13	mechanical, electrical, plumbing, fire protection, and building envelope		
14	Electrical engineering Addressing potential and real conflicts of interest		
17	Nothing comes to mind. I have liked the options, so far.		
18	-Lithium Ion battery fires -helping clients overcome subrogation hurdles -overview of causation from a science/logic perspective		

### 8. Do you prefer multi-disciplinary tracks?



Value	Percent	Responses
Yes	64.7%	11
No	35.3%	6

9. Check the non-technical topics below that would you like to see in the future



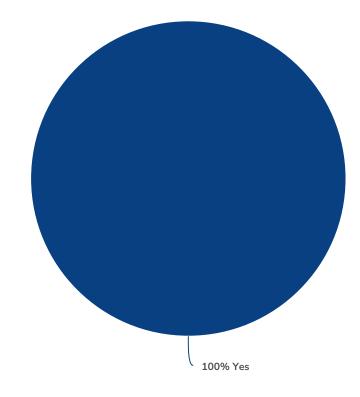
Value	Percent	Responses
File and Evidence Management	33.3%	6
Obligation to Report	33.3%	6
Mock Trials	50.0%	9
"Believe or Not" Screw-ups and Recoveries	44.4%	8
Media Interface Training	27.8%	5
Understanding Precision, Accuracy and Uncertainty	61.1%	11
Experimental Design to Thwart Daubert Challenges	44.4%	8
Ethical Decision Making Frameworks	22.2%	4
Soft Skills	27.8%	5
Managing Conflicts of Interest	27.8%	5
Ethical Decision Making Framework	22.2%	4
Spoiliation: Avoiding it, Identifying it, and Addressing it.	50.0%	9
Record-Keeping and Tax Implications	22.2%	4
Subrogation against Overseas Entities	27.8%	5
Other	5.6%	1

# 10. What, if anything, would you have improved about the presentation content for the conference?

### ResponselD Response

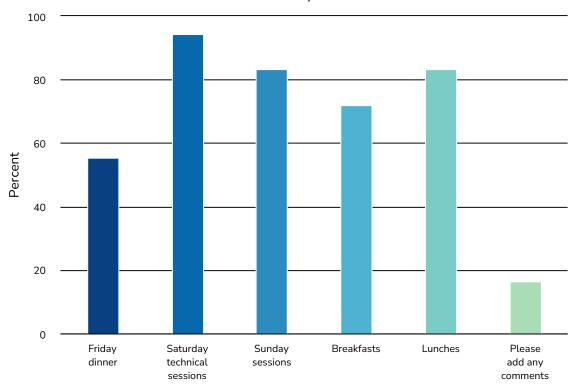
1	Nothing
2	Better audio Better slides
3	Coffee station wasn't in place during first break. 2nd lunch was too heavy.
4	I would not have had the SEAK presenter cover 4 hours of material. The material was very basic and was not worth the time for me.
5	It would be beneficial to have adequate breaks to get outside into fresh air.
6	N/A
11	More dynamic delivery by speakers, taking into consideration that many other disciplines are present in the audience
12	No improvements to suggest.
13	I would have reminded the attendees that the subject hotel was, in fact, the Hyatt that experienced the deadly walkway collapse where 114 people died
17	Nothing comes to mind.
18	I like the format just as it is, lots of lively discussion

### 11. Did the technical content meet your expectations?



Value	Percent	Responses
Yes	100.0%	18

### 12. Which of the conference events did you attend?



Value	Percent	Responses
Friday dinner	55.6%	10
Saturday technical sessions	94.4%	17
Sunday sessions	83.3%	15
Breakfasts	72.2%	13
Lunches	83.3%	15
Please add any comments	16.7%	3

# 13. What, if anything, would have improved your stay and general conference experience?

### ResponselD Response

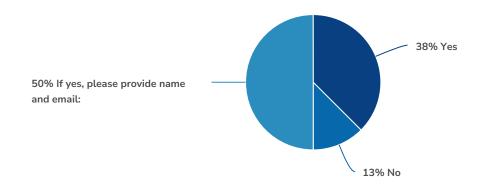
1	Nothing	
3	Early check-in if arranged in advnace.	
5	Don't do conference on a weekend. Attending on weekends is a big conflict with family time. It appears that most attendees are in the senior staff level of their firms, or owners and shouldn't have to "sell" attendance at such a beneficial conference. Easier to sell weekday attendance than to sell weekend attendance to my wife and kids.	
6	N/A	
7	Can't think of anything. Hotel venue was great as well.	
11	An event with the gang at a local interesting point; baseball game was cool, but you can do that anywhere	
12	No improvements to suggest.	
17	Nothing comes to mind.	
18	I did have a 7 hour delay en-route, so had to miss the Friday dinner. May have been thunder storm related, not sure	

### 14. Would you recommend the NAFE conferences to a colleague?



Value	Percent	Responses
Yes	100.0%	18

### 15. Would you consider volunteering to maintain the vitality of NAFE?



Value	Percent	Responses
Yes	37.5%	6
No	12.5%	2
If yes, please provide name and email:	50.0%	8

## 16. What cities or geographical locations would you recommend for a future NAFE conference?

### ResponseID Response 1 Hawaii Pacific Northwest Florida 2 Philadelphia 4 Houston would be great. 5 Vegas Nashville Jackson Hole 6 I would avoid Florida and all states that are openly hostile toward minorities, foreigners, LGBT. Not political. Basic concern for safety of conference attendees. I plan to attend Florida conference anyway because I personally feel safe. But will minimize spending there so as to contribute as little as possible to their economy. Frankly, if there were a remote option I would do that. 7 Conference location isn't a high priority with me. 9 Gatlinburg, Charleston SC, Phoenix AZ, New Orleans LA 10 Northeast, Denver, Dallas, Atlanta, Chicago, Minneapolis - mainly based on ease of travel. 11 Somewhere in Washington State; Maine or New Hampshire in the summer; a friendly Caribbean island like Puerto Rico or the Virgin Islands in the winter 12 California 17 Portland, Maine Nashville, TN Spokane, Washington Any city where they fully fund the police. 18 Anywhere sunny in winter

# Membership Audit Report to the National Academy of Forensic Engineers

(August 15, 2019)

B.A.I., Inc. is pleased to present this Membership Audit Report to the National Academy of Forensic Engineers (NAFE). Any questions should be sent directly to Mark Levin, CAE, CSP, who conducted the analysis.

### **Program Elements**

The program included (but was not limited to):

- a) onsite visits and discussions with NAFE staff; (**completed**)
- b) attendance at the 2019 NAFE Summer Conference Board of Directors Meeting and dinner or other event gathering of NAFE leaders the evening prior (Thursday, July 26 thru Friday July 27, 2019) in Denver, Colorado in order to make an initial presentation to the NAFE Board, respond to questions and interact with the any NAFE membership in attendance; (**completed**)
- c) a review and evaluation of all membership-related materials, including printed materials, website content (related to membership), publications, and communications, etc., and providing content revisions for membership marketing materials as necessary; (completed)
- d) a review of office/administrative procedures related to membership/member service; (**completed**)
- e) a written report on these audit findings, to include observations, assessments, and recommendations for improvements of membership recruitment and retention materials, membership marketing and retention efforts, member communications, and membership administration; (**completed**)
- f) working with other NAFE leaders and consultants to provide any needed membership data, including member surveys, etc. (**completed**)
- g) an oral summary of audit findings to staff and/or leaders; (completed)
- h) Meetings (in-person or telephone) with any member committees working on this project; and, (**completed**)
- i) Ongoing communications with, and support for, all NAFE staff and volunteers involved in this project. (**continuing**)

### **Deliverables**

Based on the activities outline above, the program was designed to produce the following deliverables:

- 1) A membership audit and evaluation: a comprehensive (written and oral) evaluation and report of current membership acquisition, engagement, and retention efforts in the areas of concern; (Included in following report)
- 2) Action plan: assistance in preparing a detailed set of recommendations to the staff and volunteer leadership for to assure long-term membership success; (included in following report)

3) Ongoing assistance to staff and volunteer leaders during the term of agreement (**continuing**)

### **Background**

NAFE was formed in 1982 to advance the art and skill of engineers who serve as engineering consultants to members of the legal profession and as expert witnesses in courts of law, arbitration proceedings and administrative adjudication proceedings.

NAFE was also formed to identify and bring together professional engineers having qualifications and expertise as practicing forensic engineers to further their continuing education and promote high standards of professional ethics and excellence of practice.

The NAFE is formally affiliated with the National Society of Professional Engineers (NSPE) and has adopted the NSPE Code of Ethics.

### **Membership Issues**

- 1. **Membership in NAFE has remained virtually flat over the past five years** (474 members in 2015: 475 members (YTD) in 2019). This is not unusual with professional organizations in general over that period, but it does present reasons for concern for the future.
- 2. **Member retention is a growing concern.** While new member acquisition is basically replacing members that are dropping out, the fastest growing demographic in the NAFE membership profile is "Former Members." Of greatest concern are those members who join for only 1-2 years and then leave.
- 3. **Aging membership.** Because NAFE membership requirements are very stringent and contain minimum experience levels that may take a number of years in practice for potential members to reach, it is understandable that the average age of NAFE members is going to be higher than the norm for similar professional groups. This can cause some problems in branding and recruitment if NAFE is seen as an organization for *older* practitioners rather than as the organization for practitioners with a certain level of expertise (i.e. the leaders in the field). In addition, the ability to attract younger (in relation to the current members) members affects the future volunteer leadership system in NAFE.
- 4. Limited Value Perception for those who do not attend events/Conferences. Although there are many benefits of NAFE membership, there is a feeling among the leadership (Board) that many members who do not participate in the Conferences and other events have trouble identifying the value of NAFE membership.
- 5. **NSPE affiliation requirement.** The NSPE requirement is one of the cornerstones of NAFE's history, however it does mean extra dues, extra paperwork, and extra decision-making by non-NSPE members who want to join NAFE.

6. Lack of marketing outreach. NAFE is blessed with excellent professional and volunteer leadership in many ways, but membership in NAFE has been, for the most part, an administrative function vs. a marketing function. When potential members apply there is a process for reviewing and approving various levels of membership but until very recently it has been a case of potential members either knowing about NAFE or attending a Conference prior to applying. This makes it difficult to get a steady flow of prospects into the database.

### **Methodology**

In order to assess the various aspects of NAFE's membership management, several methods were used.

- 1) Interviews with NAFE staff
- 2) Interviews with NAFE volunteer leadership (Board)
- 3) Interviews with membership-related committee chairs
- 4) Reviewing the membership-related content of the NAFE website
- 5) Talking with/facilitating discussion with NAFE National leaders at the 2019 Summer Conference
- 6) "Mystery Shopping" joining NAFE under an alias to enable evaluation of membership communications and reinforcement by receiving them just as a new member would

### **Evaluation and Recommendations**

The focus of the analysis was directed toward these aspects of NAFE membership development:

- a. New Member Recruitment
- b. Intake/on boarding of new members
- c. Member Engagement
- d. Retention
- e. Marketing/Branding
- f. Administration
- g. Website coordination

### **New Member Recruitment**

As was mentioned above, member recruitment has been steady but barely keeping membership level, due to dropped members. The main sources of new members, the website and non-member attendees, generate some excellent leads but the follow up on these leads is not producing the numbers it could/should. Leaders have estimated that there may be as many as 1,000 (or more) engineers that currently qualify for NAFE membership who are not members.

The most effective way to recruit new members for NAFE (or any other organization) is through word-of-mouth recruitment. During the assessment period, it was noted that there may be some underlying reasons why current members are not more active in reaching out to prospective members. These include: engineers (as a rule) are not necessarily "sales" oriented, despite the fact that they market their services to clients; some members are uncertain of how to present

NAFE's membership benefits effectively; and there may be some reluctance to recruit people or firms which may become competitors in the marketplace.

### **Recommendations**

There are two basic ways to get more prospective members into the NAFE membership system: they find NAFE (via website or events); or NAFE finds them (by reaching out via member contact or effective marketing)

1. Increase website (membership) traffic. Since the website is a prime source of members and potential members, NAFE should re-evaluate its SEO and Google ads strategies. It may be worth hiring an outside web marketing person to guide this effort. Another (less expensive) option is to find members, member firms, or (perhaps) someone within the NSPE organization with the appropriate skills, to give advice on how to do this.

NAFE should also be concentrating on raising its internet/website presence to the industries and professions which use the services of NAFE members: legal, governmental, insurance, construction, real estate, etc. This does two things: 1) it will encourage these key decision-makers to ask "are you a member of NAFE?" which will, in turn get those non-members to think about joining; and 2) it will be another benefit of NAFE membership to discuss with potential members.

As was discussed at the Summer Conference, no one is looking to join another organization. They are looking for clients and the ability to solve clients' problems. That is the basis on which NAFE should address its internet presence.

- 2. Raise the percentage of non-member attendees and non-member users of other NAFE programs and services who are converted to members. These are among the very best prospects for new members, because they have already shown interest in a NAFE benefit.
  - a. When non-members attend NAFE Conferences, include the first year's dues as part of their registration fee. The 50% discount currently offered is more than a year's dues so it is no financial burden on NAFE.
  - b. Offer to credit the non-member differential charged to purchase other NAFE publications, products, or programs toward the first year's dues
  - c. When communicating with these non-member participants, always mention the program or product they have already used. Rather than sending a form letter requesting that they join, start off by saying something like "Thank you for attending our program on (subject). This is just a small sample of the benefits our members get on a continuous basis," etc.
- **3. Increase member-to-prospect recruitment efforts.** Give members the tools needed to feel comfortable asking others to join.
  - a. Develop a member recruitment guide for members, suggesting the best potential members to ask, how to describe the benefits of NAFE membership, etc.
  - b. Offer current members incentives for recruiting new members and also for referring potential members to NAFE Headquarters (or the Membership Committee).
  - c. Publicize the names of members who do recruit new members in NAFE member communications and on the NAFE website. This provides recognition to those who recruit and (hopefully) inspires others to so.

- d. Have an event (reception, etc.) at the NAFE Summer and Winter Conference that is just for members who have recruited a new member in the past year.
- e. Create a Committee to focus on trying to get former members to reinstate their NAFE membership. Former members are a unique prospect group and should be approached on the basis of what is new/different now vs. when they were members.
- f. Continue participating in the Conferences of other organizations (NSPE, ASCE, etc.) where potential members may be attendees and/or exhibitors. Develop a specific follow up plan for leads generated from these events.

### 4. Review & revise the membership section of the website

The membership part of the website needs a lot of work (more on this under the website recommendations). This looks (from a layperson's view) like an administrative nightmare for applicants. The type is too small, there is no flow, not all of the links work, the matrix is daunting, it's the equivalent of 3-4 pages long before even starting to fill anything out, some of the information doesn't fit the page, etc., etc.

A key to membership growth is making membership as easy as possible. This does not mean lowering any requirements for membership. It is a matter of presentation and user friendliness.

### **Intake/on-boarding of New Members**

The first few months of membership are critical to keeping new members after the first year. This will be even more critical as NAFE (hopefully) begins bringing in more new members as a result of this analysis. Here are some suggestions, based in part by the "mystery shopping" observations.

### **Recommendations**

- 1. **Revise the new member welcome letter.** It currently is little more than a reminder of benefits (which the prospect was already told about during recruitment) and then a description of how to sign in to the website and other administrative procedures. This letter should start off by telling the new member what a great decision he/she made by joining NAFE, and what he/she can look forward to. Then, acknowledge that as a new member they probably have a number of questions about what's next, and tell them how to answers, etc. Make the welcome letter all about the new member first, then talk more about NAFE.
- 2. Have some type of personal contact to welcome new members (in addition to the welcome letter). Have an officer or Membership Committee member call or email each new member. During this contact, ask questions of the new members about their business or career goals, and how NAFE can help them achieve those goals.
- 3. **Consider adding a New Member page to the website.** This page could simply be an FAQ-style page for new members.
- 4. **Be especially conscious of new members who join because of an incentive.** As mentioned above, incentives to join such as reduced dues or Conference fees are great to attract new members, but this can come back to be a problem when they are asked to renew a year later. This second year of membership will not include the same

incentive, so they are going to pay more for the second year. Be prepared to deal with this.

- 5. Continue having new members identified at NAFE Conferences. Have special ribbons on name tags of New Members and First Time Attendees. Tell NAFE officers/leaders to seek these people out and make them feel welcome.
- 6. Add a glossary of terms to new member information. Don't assume new members are familiar with all of the acronyms that stream through NAFE's website, publications, etc.

### **Member Engagement**

One of the big challenges is to find ways for members who don't attend the Conferences to get enough value in NAFE membership to justify the cost.

### Recommendations

- **1. Promote the non-Conference benefits of membership as heavily as the Conferences.** This doesn't mean you don't want everyone to attend Conference, but you'll never get *everyone* to attend (the % of members attending NAFE Conferences right now is excellent). Try to attach a **value** to each aspect of NAFE's benefits which don't require a physical presence (other than from an office or home office).
  - a. The **NAFE Yahoo** groups (from my non-engineering view) look like an excellent resource for members. These should be promoted not just as discussion groups but as one of the many ways NAFE membership can enhance your credibility (third party input). It's also another way to build partnerships in new areas.
  - b. Access to **the online directory** should be promoted as a one-stop guide to peer support and information.
  - c. **Recommended insurance programs** should be promoted as cost-effective ways to protect your business and your practice.
  - d. **Certification** is both a form of achievement and credibility and also a differentiator for clients.
  - e. The **NAFE library of peer-reviewed publications** provides one of NAFE's primary offerings of continuing education, as well as the ability for members to be recognized as a true leader of the forensic engineering field via being published
  - f. Etc., etc.

While this might sound like wordsmithing or promotional jargon, it's not. It's the truth, as we discussed in Denver. More importantly, none of the things listed above require anyone to get on a plane and go to meeting anywhere, yet they all provide value to members, if presented effectively.

2. **Engage members by asking their opinion**. We described in Denver a potential way to take targeted, short surveys to get more members (especially those who don't attend Conference) engaged in NAFE in an easy way. There are some guidelines for doing this effectively, but NAFE seems to have the kind of membership "culture" that could lend itself to this being a good opportunity to enhance the membership experience.

3. **Keep track of member engagement and identify non-active members early in the program year.** Target them for special communications (such as the survey mentioned above). Make personal contacts with those who don't respond to additional communications.

### **Member Retention**

It's important to get a handle on exactly how well NAFE is currently doing in member retention in the various membership categories. The overall retention rate seems to be in the 85-90% range (which is good) but it would be worth a closer look at when and why the majority of these members are leaving. It would make it easier to set up a specific effort to retain those "at-risk" members at a higher rate. Even with a retention rate at a high level, NAFE is still challenged with replacing 45-50 dropped members with new members each year just to stay even. A focused retention effort could be moving NAFE back over the 500 level with just a small increase in the retention rate.

### **Recommendations**

- 1. Create a Member Retention Committee (or Subcommittee) with direct responsibility for member onboarding, engagement, and retention.
- 2. Where possible, customize and personalize member communications based on what is known about the individual member(s) or groups of members. Try to avoid form letters and Dear Fellow Member letters.
- 3. Offer members choices on how they receive communications from NAFE. Younger members, especially, want to make thoi.se kinds of choices for themselves.
- 4. Continue to identify ways to make new members and first-time attendees feel special at NAFE events.
- 5. Make member renewal as simple and quick as possible.
- 6. **Have a pre-invoice letter sent outlining NAFE accomplishments.** This should be sent **prior** to the first renewal notice to members. They will then have been reminded of the value NAFE provides without having the renewal notice in front of them.

### **Marketing/Branding**

Obviously, NAFE's reputation as an "exclusive" organization is one of the things that attracts engineers to it. "Exclusive" refers to the necessity to attain a certain level of certification, expertise, experience, etc. This makes NAFE membership a goal for many. However, NAFE needs to be careful not to allow the "exclusive" aspect of its reputation be a barrier to membership.

NAFE has this excellent reputation among most of those who are *aware* of it, but not enough engineers are aware of the opportunities in the field or NAFE's role in promoting both the science and the practice of forensic engineering. There are some engineers who probably qualify for membership but haven't joined because of lack of exposure to NAFE, affiliation with another engineering organization (including NSPE) that they feel meets their needs, or they have been contacted by NAFE and didn't see enough value to join.

### Recommendations

- 1. Create a dialogue with NSPE to **find additional ways to use the NSPE membership requirement in NAFE as an advantage of NAFE membership, not a barrier to it**. Include phrases like "as an NSPE member, you already meet one of the most important qualifications to join NSPE," or, for non-NSPE members, "your membership in NAFE will also entail becoming an NSPE member, allowing you to benefit from two of the leading professional associations in the engineering field."
- 2. Contact other professional organizations which are "stakeholders" for NAFE and offer to provide educational programming for their Conferences. These organizations are always looking for the best quality educational sessions for their own members, and the exposure to these groups will expand NAFE's brand and value message. Again, in addition to engineering societies, think of legal organizations, insurance, real estate, etc. There are hundreds of these groups at the National, state, and local levels.
- 3. Continue expanding the use of social media to create awareness of NAFE and its members. As the average age of NAFE members drops (due to retirements, new practitioners entering the field, etc.,) social media will become more of the norm for members and prospects and less of something that has to be learned. These members/prospects will have been using social media since their undergraduate days, and they will expect their professional organization to provide outlets for using it to enhance their education and businesses.
- 4. Encourage members, especially leaders, to include their NAFE membership and leadership positions in their introductions, biographies, signatures on their emails, business cards, etc.
- 5. **Set quality control standards on everything NAFE does**. As discussed in Denver, NAFE's brand is, in part, determined by first impressions. Quality control is an important part of any organization's brand. NAFE is probably held to an even higher standard than many other groups because of its prestige, it's membership (engineers are very detail-oriented), and its "culture" (reflecting what its members do).

### Administration

Due to NAFE's limited budget, many of the functions that would normally be done by staff members in similar organizations are handled by volunteers in NAFE. Fortunately, NAFE is blessed with a cadre of experienced members willing to put in the time to produce the many things NAFE offers to its members and the profession.

This can also create a situation where there is sometimes a lack centralized oversight (see quality control, above); volunteers can get burned out by having to fulfill NAFE commitments while running their businesses/practices; and NAFE is limited in its ability to add new programs and services in its attempt to fulfill its mission.

By growing its membership, NAFE can add additional financial and volunteer resources to NAFE's management. By providing funds to perhaps add staff support, or to outsource programs and functions currently being done entirely by volunteers, this raises NAFE's ability to continue adding value to membership.

### Recommendations

- 1. Work with NSPE to see if additional NSPE staff support can be added to NAFE's management in the form of administrative support, website development and user friendliness (see next section), database management, etc.
- 2. **Be careful about taking on too much**. It's not just a question of money. Before new products/services are undertaken there needs to be an assessment of NAFE's ability to deliver them at the very best level.
- 3. Where possible, try to centralize communications and decision-making as it applies to members and membership. It's important for (pardon the old-time reference) the right hand to know what the left hand is doing. Remember, quality control and first impressions are an important part of the NAFE brand. Some sort of communications flow control needs to be formalized, well-communicated to the leadership, and implemented.

### **Website Coordination**

The organizational website has replaced calls the Headquarters office as the way all of NAFE's stakeholders (members, prospects, engineering profession, other organizations, the general public, etc.) find out about NAFE, learn about NAFE, and communicate with NAFE. Almost all of the membership recruitment, engagement, and retention efforts center around the website, too. Marketing is aimed at driving prospects to the site; applications and benefits are on the site; engagement opportunities are on the site; renewal options are on the site.

### Recommendations

- 1. Add some drop-downs from the home page under the top Membership tab to allow visitors to go to the section they seek. Limit the number of clicks for all visitors, especially prospective members.
- 2. **Reverse the information on the membership landing page**. Start with the (updated) list of NAFE benefits before sending then to the how to join section. Make the page more about the prospective member than the organization.
- 3. **Create some empathy for the reader**. Refer to the exercises done in Denver to create content which lets prospective members know that this could be their new home page, where the organization (NAFE) knows what their daily challenges are and can help them meet those challenges.
- 4. **Update the information and forms**. Example: the directions ask applicants to fill out the 2016 Application Form. Even if the form is the same, at least update the date on it.
- 5. Link membership promotions to specific pages, not just the home page. Save the prospective members driven to the site through membership promotions some

unnecessary clicks by linking these promotions to specific pages in the membership part of the site, not just the home page.

6. Add some member testimonials to the site. Use quotes, photos, and videos to let current members talk to site visitors about how NAFE membership has helped make them more successful, raised their credibility, and helped create new partnerships and friendships.

### **Next Steps/Action Plan:**

- 1. Review assessment and recommendations, forward any questions to B.A.I., Inc.
- 2. Assign Committee/Task force to make action recommendations to Board
- 3. Task Force to identify recommended action items, categorized by

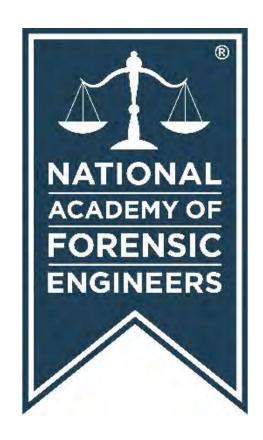
**Immediate** – easily implemented ideas/actions that don't require Board approval or funding)

**Priority** - ideas/actions that NAFE should try to have in place within one program year

**Long Term** – ideas/actions which require more planning, thought, discussion, money, etc. These should be discussed at Annual Planning Meetings

- 4. Board to approve Committee Recommendations
- 5. Start to Grow the Academy!

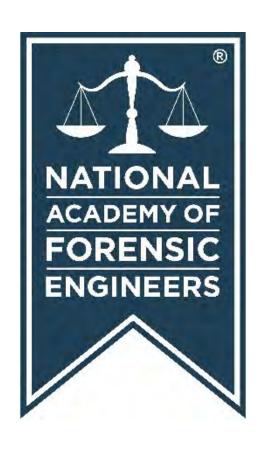
# NOMINATIONS CULTIVATE NEW LEADERS



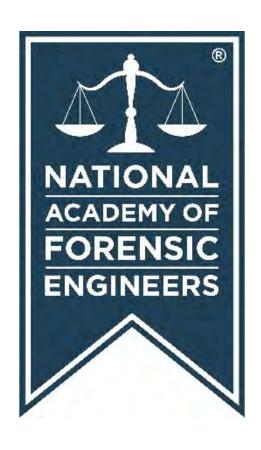
# OLD BUSINESS



# NEW BUSINESS



# **ANNOUNCEMENTS**



# **ADJOURN**

