



Site Evaluator Ethics

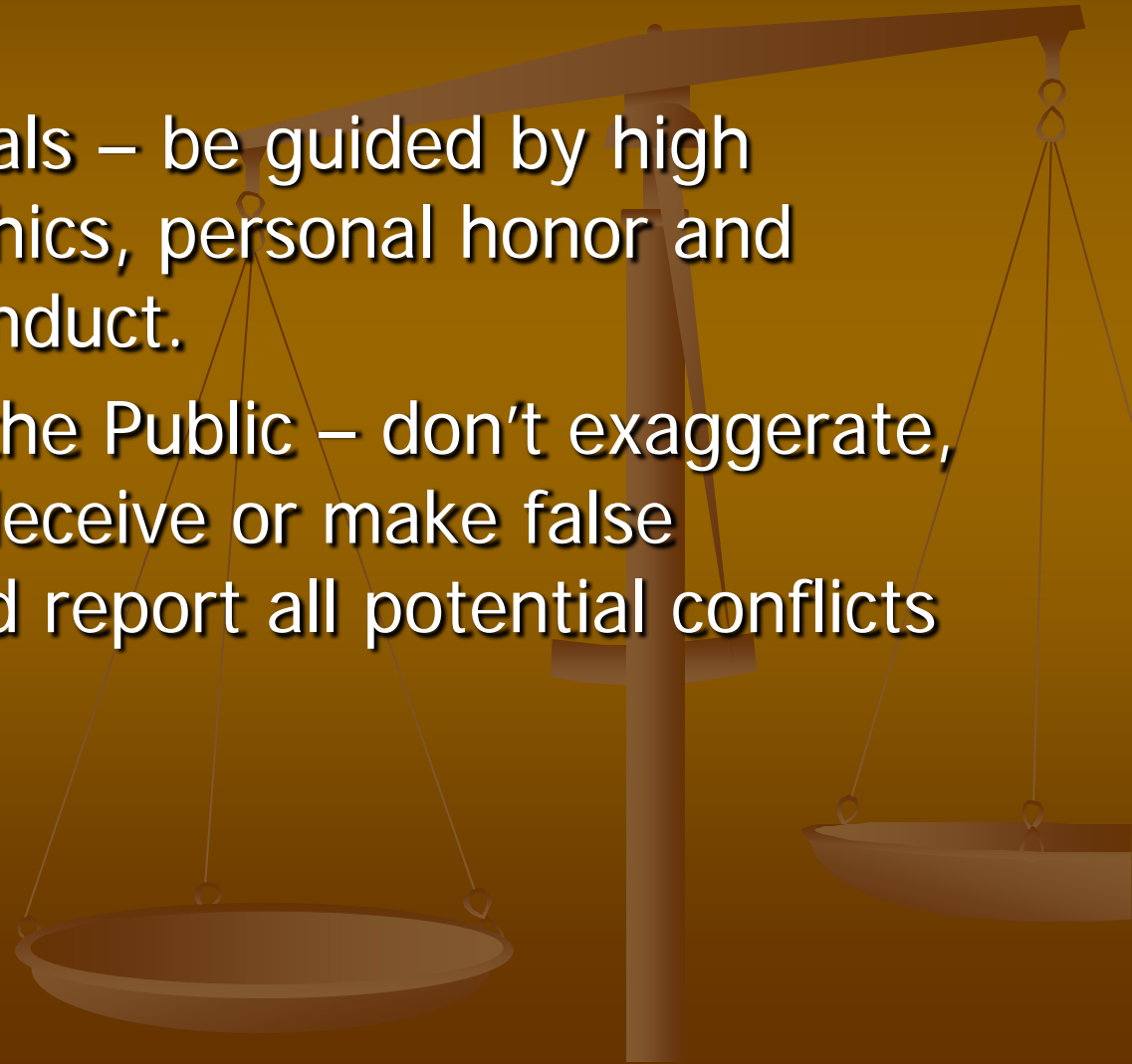
MASE Annual Meeting

March 6, 2012

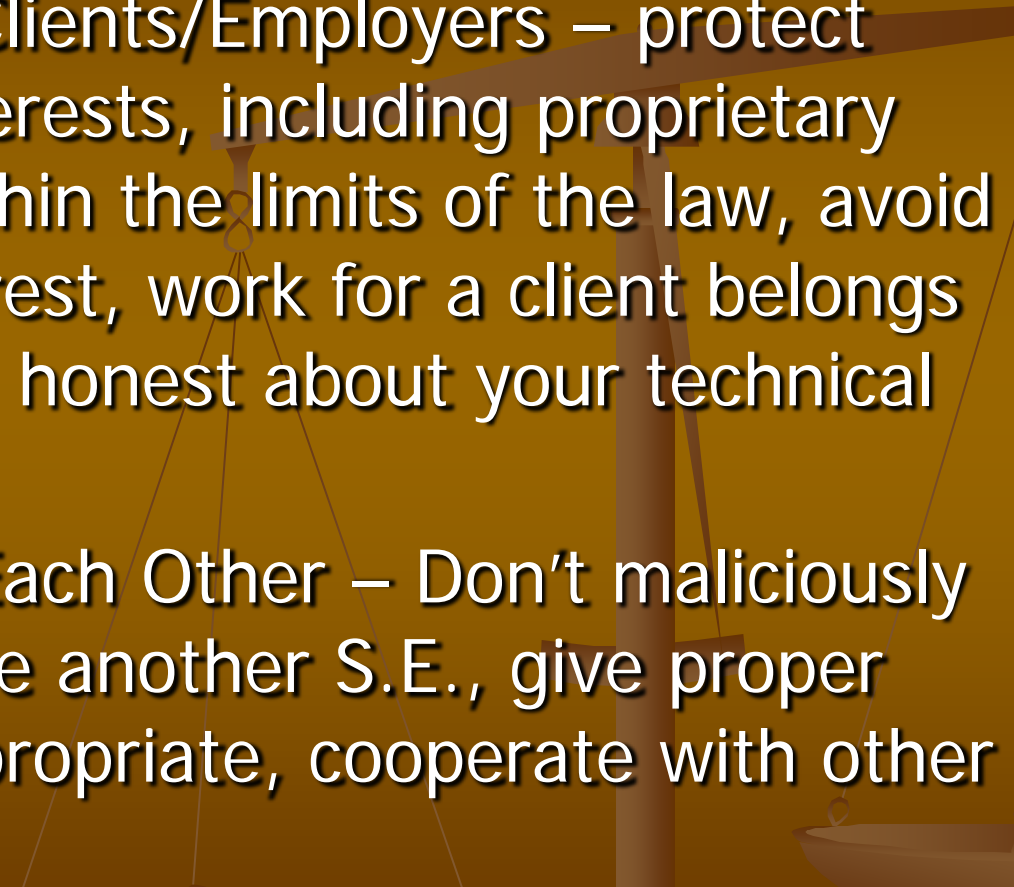
Site Evaluators Rules 144 CMR 245

n Code of Ethics:

- n General Principals – be guided by high standards of ethics, personal honor and professional conduct.
- n Relations with the Public – don't exaggerate, misrepresent, deceive or make false statements, and report all potential conflicts of interest.

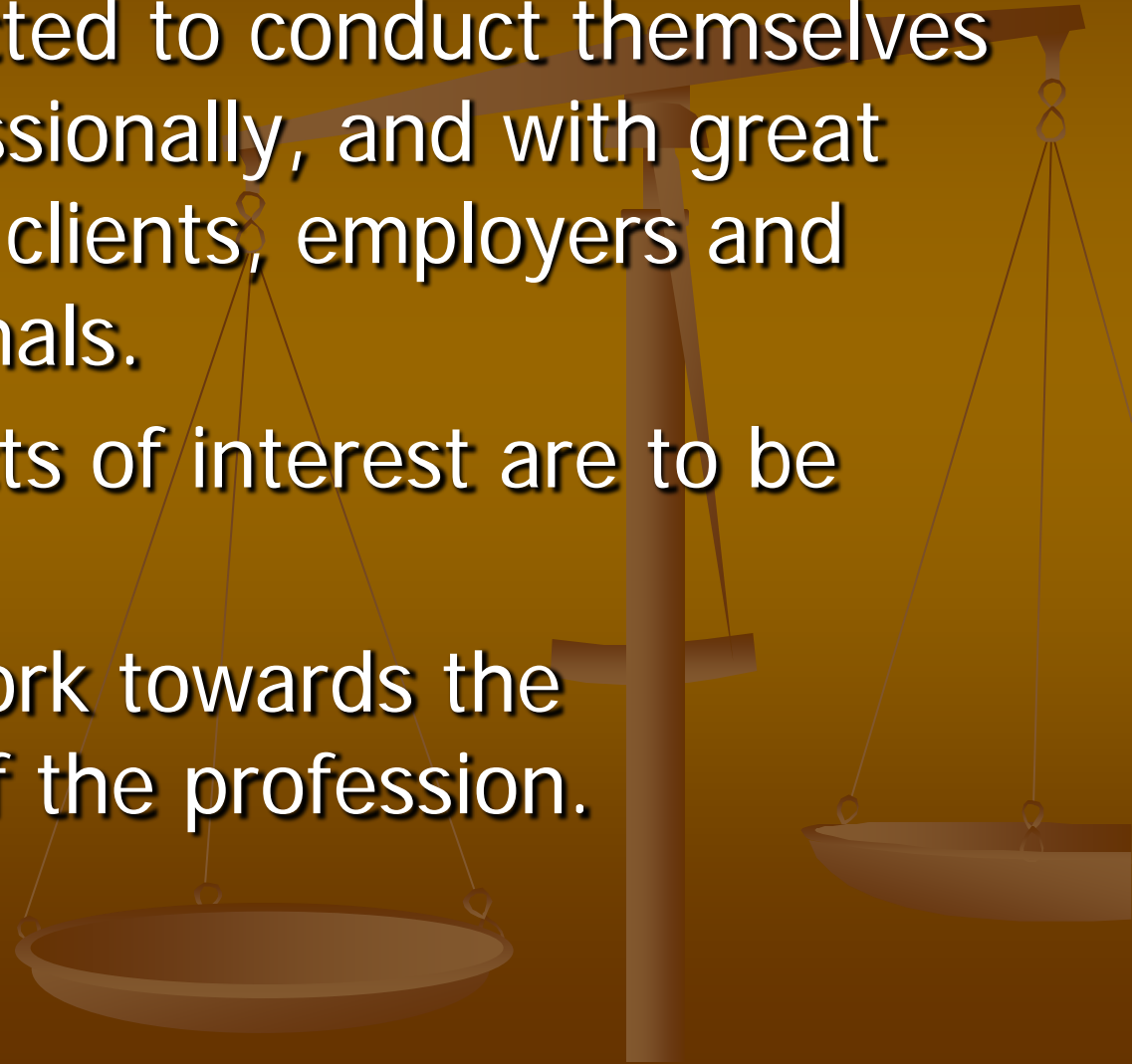


Code of Ethics (cont.)

- n Relations with Clients/Employers – protect your client's interests, including proprietary information, within the limits of the law, avoid conflicts of interest, work for a client belongs to the client, be honest about your technical limitations.
 - n Relations with Each Other – Don't maliciously attempt to injure another S.E., give proper credit when appropriate, cooperate with other professionals.
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What's It All Mean?

- S.E.'s are expected to conduct themselves honestly, professionally, and with great regard for their clients, employers and other professionals.
- Potential conflicts of interest are to be avoided.
- S.E.'s should work towards the advancement of the profession.



Legal Ramifications



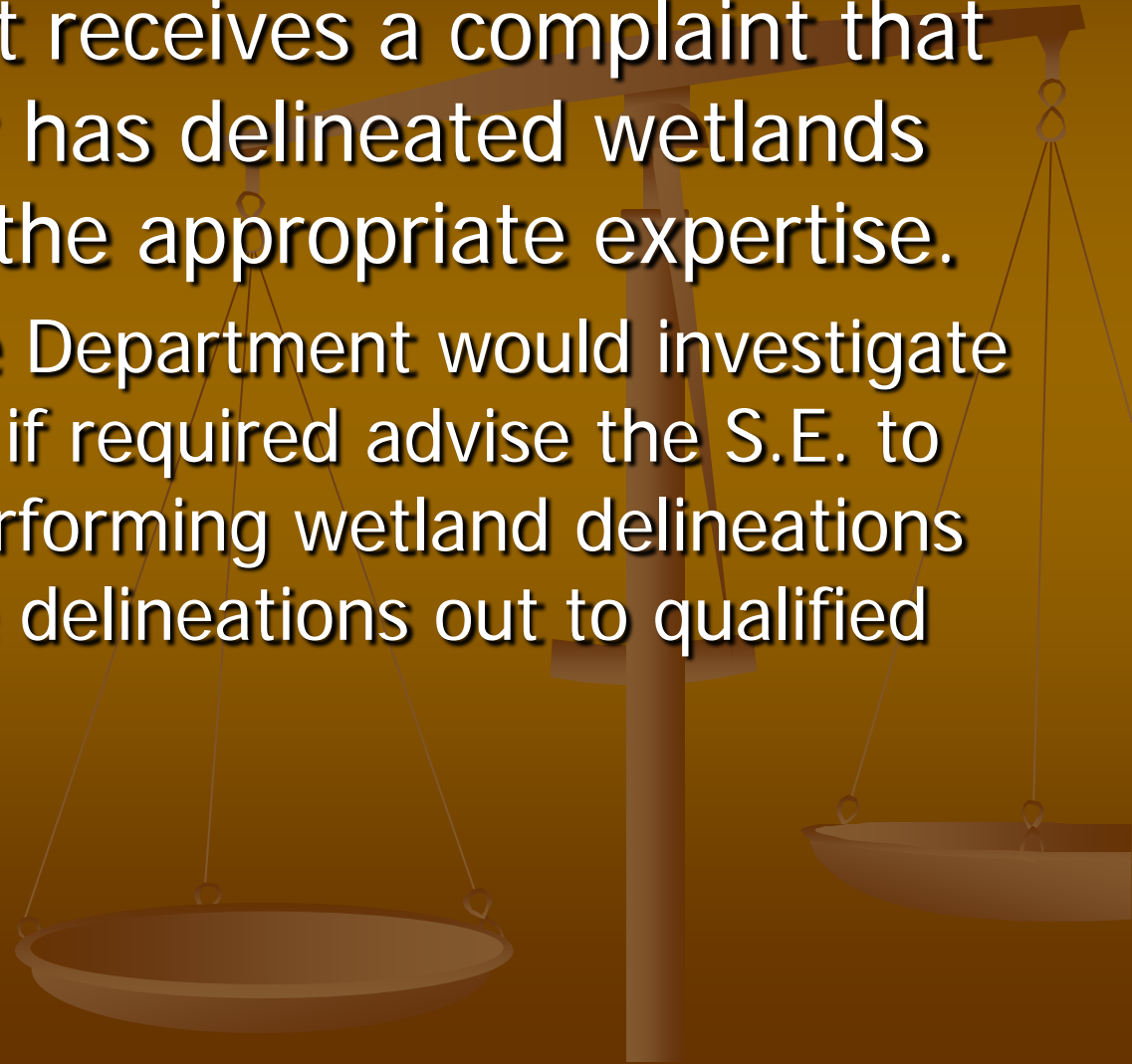
- The Department is not authorized or equipped to make formal conclusions regarding an individual's honesty or intent.
- Complaints and inquiries processed by the Department are limited to technical matters.
- Ethical questions would likely be handled through the legal system.

Examples

- The Department receives a request to investigate a design, the allegation is that the S.E. misrepresented the depth to limiting factor.
 - Response: The Department would evaluate the site conditions and make findings regarding the technical issues (depth to limiting factor) and discuss these technical findings with the S.E.

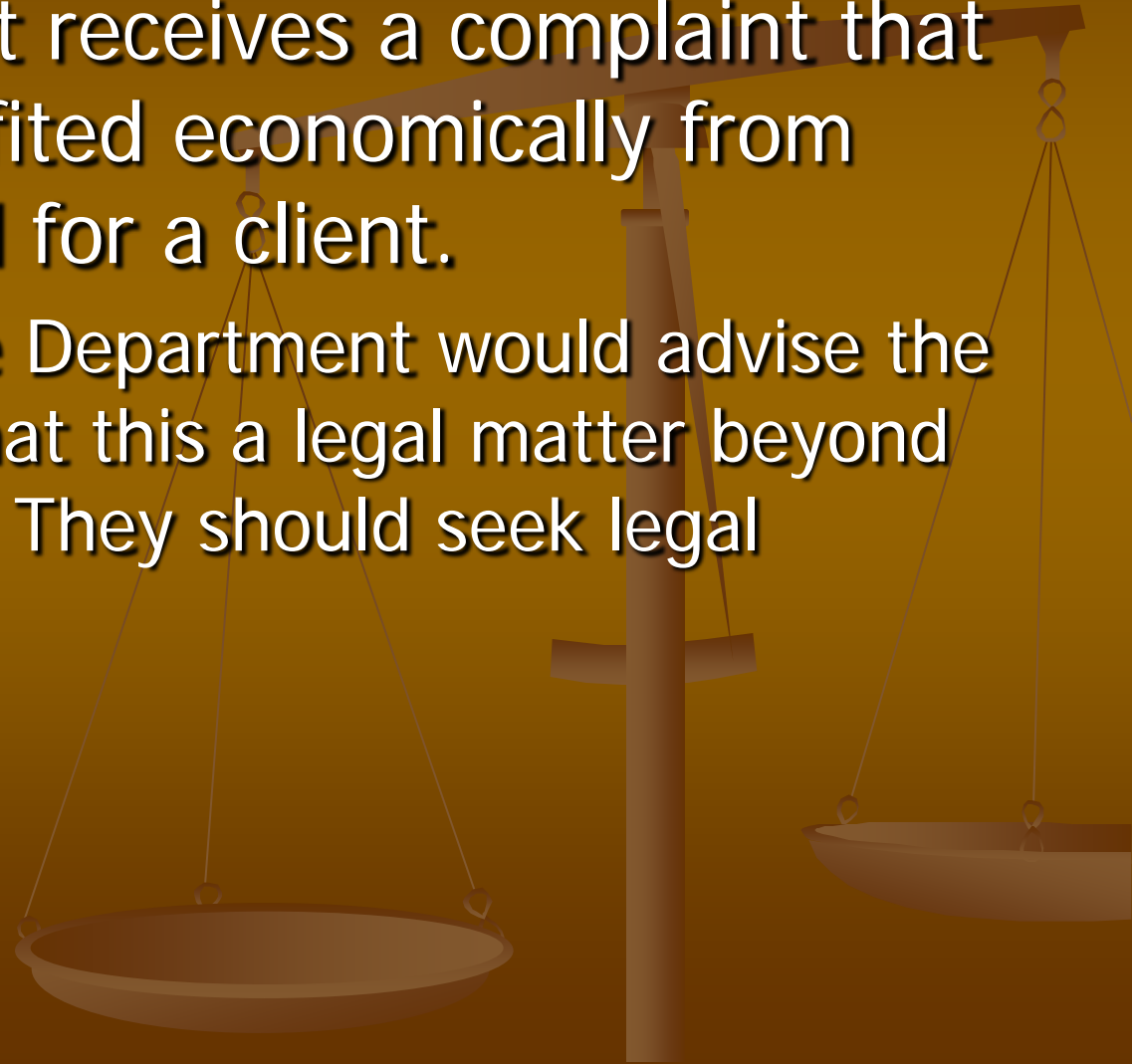
Examples

- The Department receives a complaint that a Site Evaluator has delineated wetlands without having the appropriate expertise.
 - Response: The Department would investigate the matter and if required advise the S.E. to either cease performing wetland delineations or to hire those delineations out to qualified professionals.



Examples

- The Department receives a complaint that an S.E. has profited economically from work performed for a client.
 - Response: The Department would advise the complainant that this a legal matter beyond its jurisdiction. They should seek legal council.



Summary



- Like all licensed professionals in Maine, S.E.'s are expected to conduct themselves with the highest standards of conduct and honesty.
- The Department's ability is limited to evaluating technical matters.
- Ethical questions are best resolved by people trained and authorized to handle them (usually the courts).