


Ethics in Action

A faint, stylized illustration of a balance scale is visible in the background. The scale is positioned on the right side of the frame, with its central pillar and horizontal beam extending across the middle. Two pans are suspended from the beam by thin lines. The entire scene is rendered in a monochromatic brown color scheme against a dark brown background.

Georgia Planning Association
2010 Spring Conference



**WHAT IS PART C OF
THE AICP CODE OF ETHICS
AND PROFESSIONAL
CONDUCT?**

**AICP Ethics Session
2010 GPA Spring Conference
Macon, GA**

AICP Ethics Session

- **Agenda**

- **Review of Part C**

- **Ethics Scenarios**

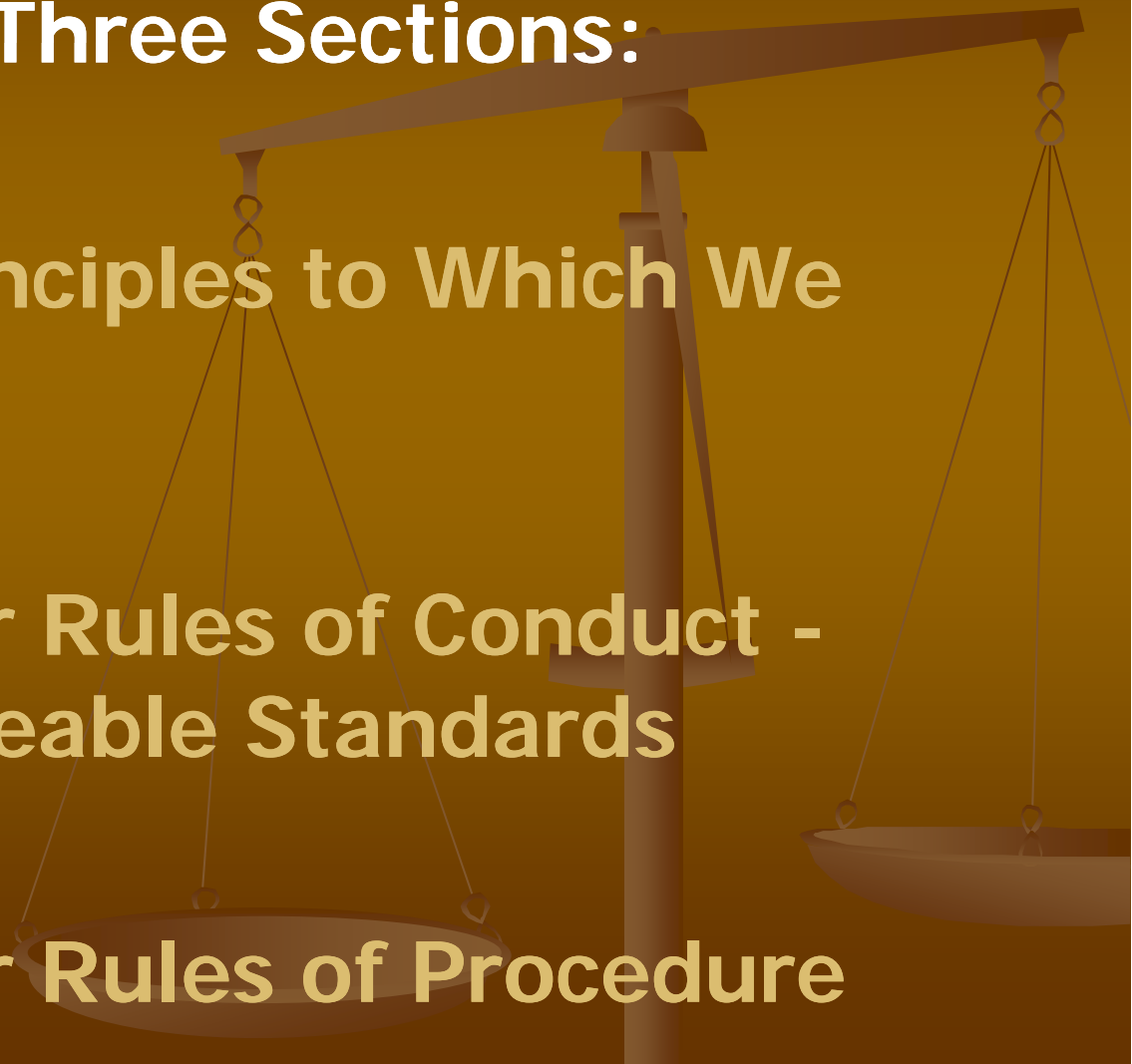
- **Ethics Skit with Audience Voting**



AICP Code of Ethics

Organized into Three Sections:

- **Section A: Principles to Which We Aspire**
- **Section B: Our Rules of Conduct - Enforceable Standards**
- **Section C: Our Rules of Procedure**



AICP Code of Ethics



■ Section A: Principles to Which We Aspire

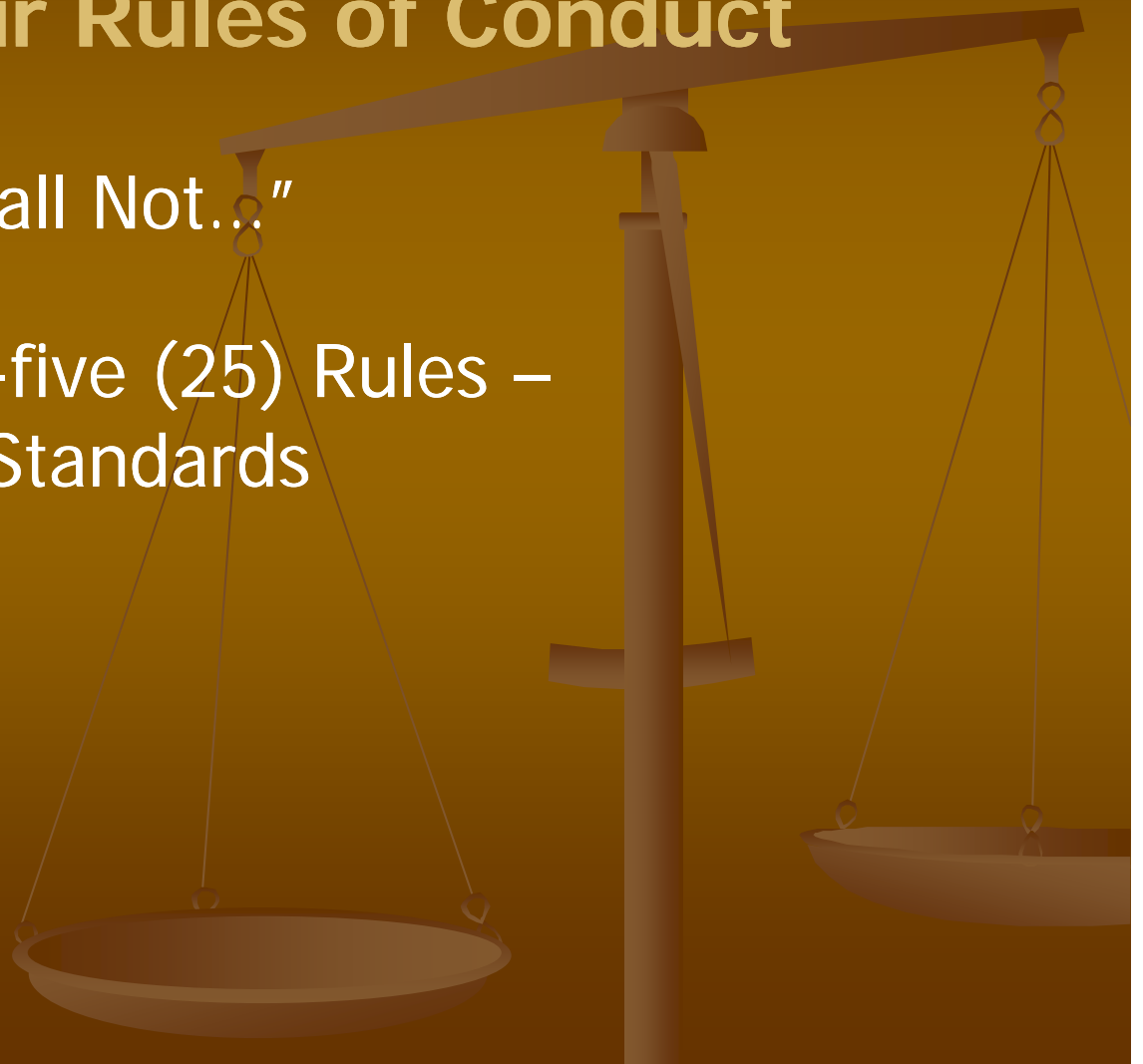
Our Responsibility to...

- **Public** – provide information, opportunity for public input, advocacy, equity and fairness.
- **Clients & Employers** – professional judgment, avoid conflict of interest.
- **Profession** – Enhance integrity, fairness to other planners, contribute time to young professionals and students, continuing education.

AICP Code of Ethics

- **Section B: Our Rules of Conduct**

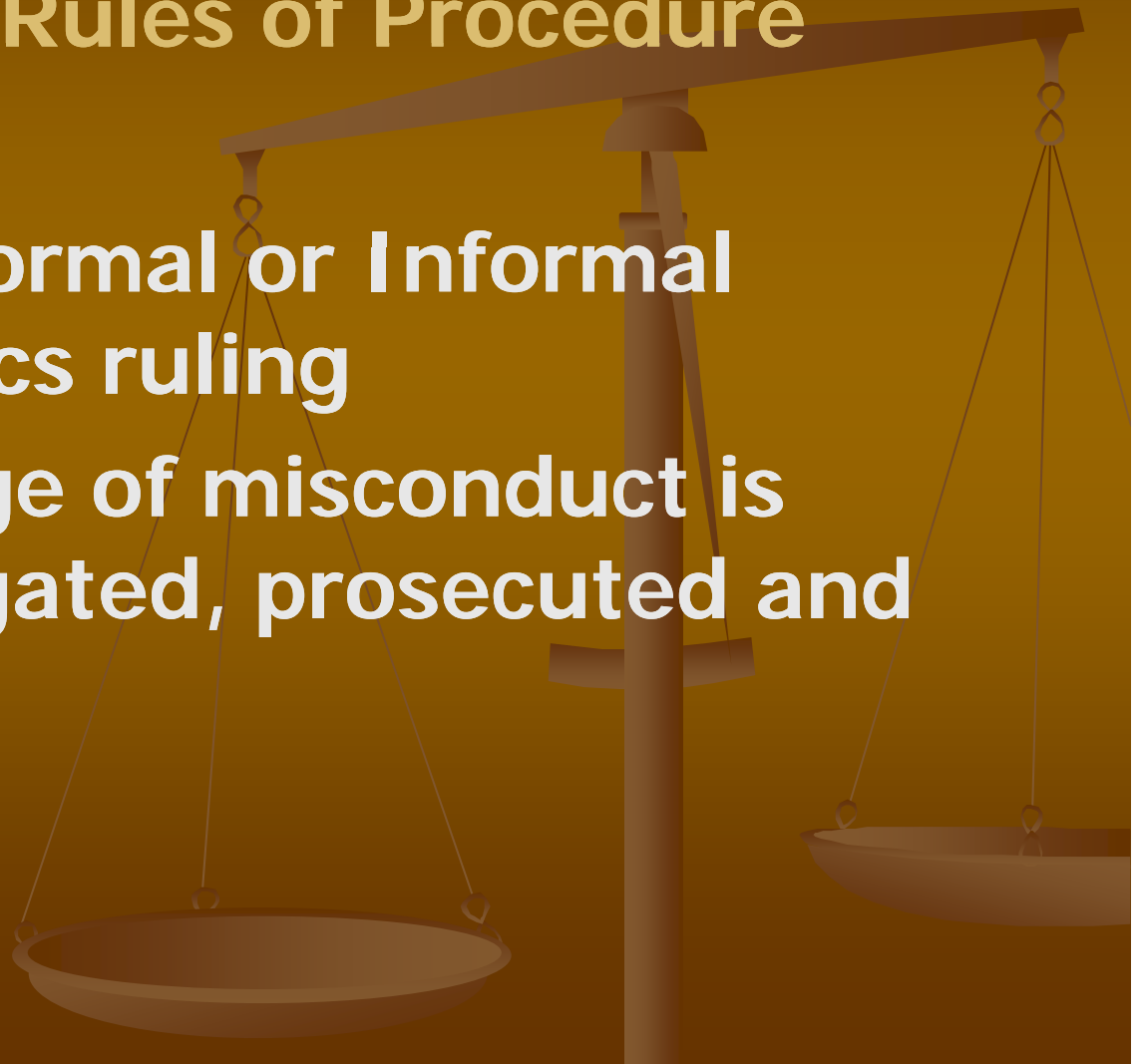
- Style - "We Shall Not..."
- List of Twenty-five (25) Rules – **Enforceable Standards**



AICP Code of Ethics

Section C: Our Rules of Procedure

- 1) Obtaining Formal or Informal advisory ethics ruling
- 2) How a charge of misconduct is filed, investigated, prosecuted and adjudicated

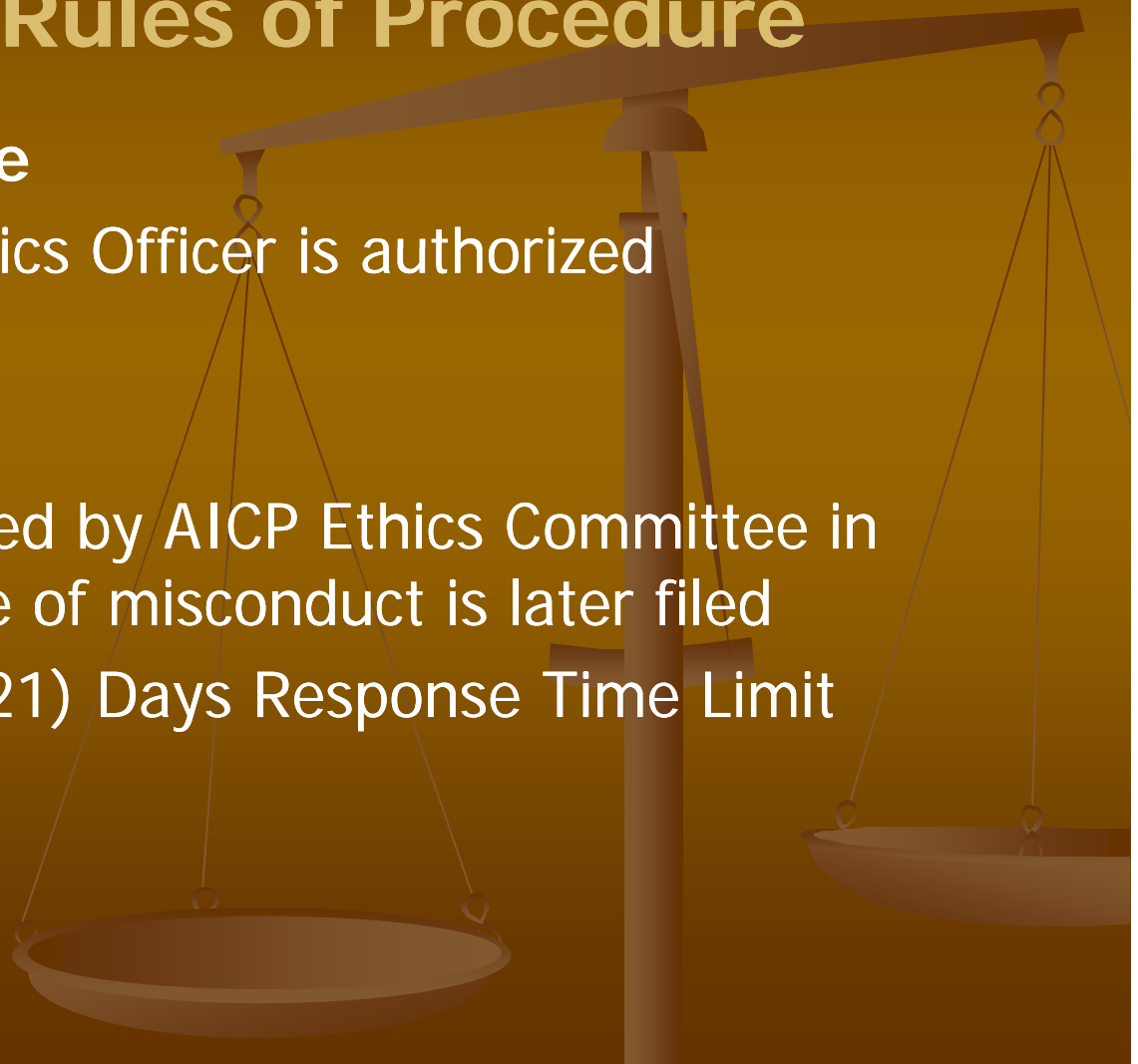


AICP Code of Ethics

Section C: Our Rules of Procedure

■ Informal Advice

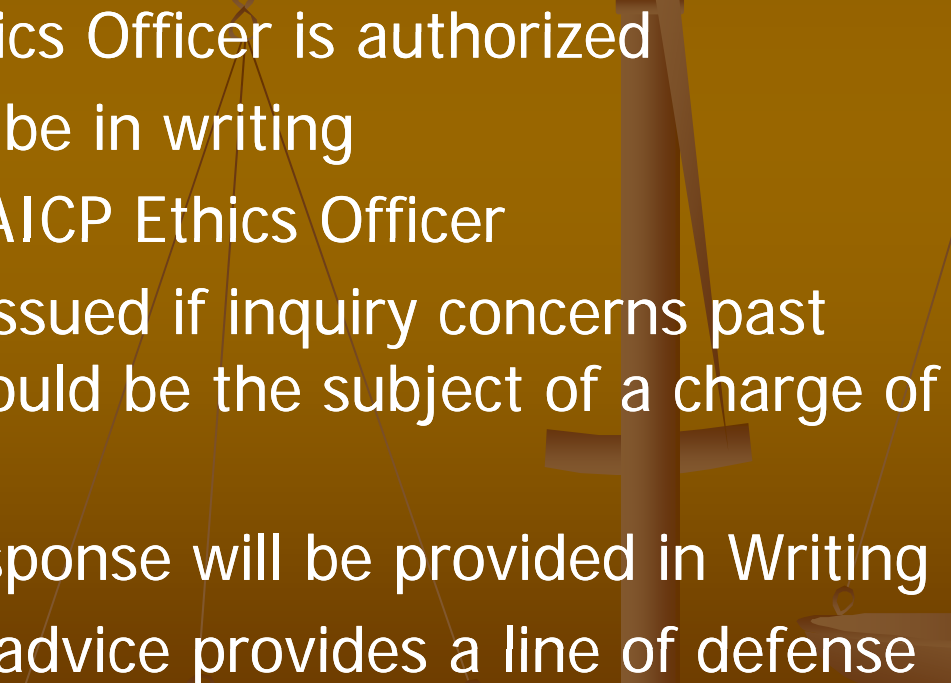
- Only AICP Ethics Officer is authorized
- Non-Binding
- Not in Writing
- May be retained by AICP Ethics Committee in case of charge of misconduct is later filed
- Twenty-one (21) Days Response Time Limit



AICP Code of Ethics

Section C: Our Rules of Procedure

■ Formal Advice

- Only AICP Ethics Officer is authorized
 - Request must be in writing
 - Binding from AICP Ethics Officer
 - Advice is not issued if inquiry concerns past action that should be the subject of a charge of misconduct
 - Otherwise, response will be provided in Writing
 - Following the advice provides a line of defense
- 

AICP Code of Ethics

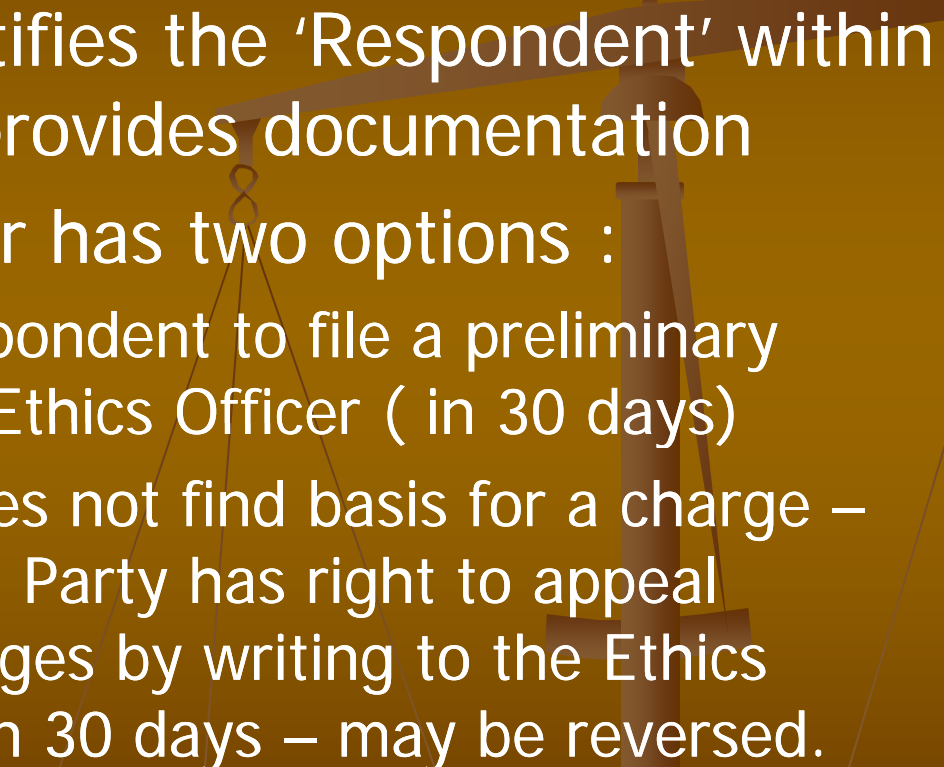


Filing a Charge of Misconduct

- May be filed by any person against any AICP planner
- Write a letter to Ethics Officer (signed or anonymous)- fully document the person, the misconduct, and the rule that was violated
- Do not communicate with the accused – ('respondent') or discuss with others

AICP Code of Ethics

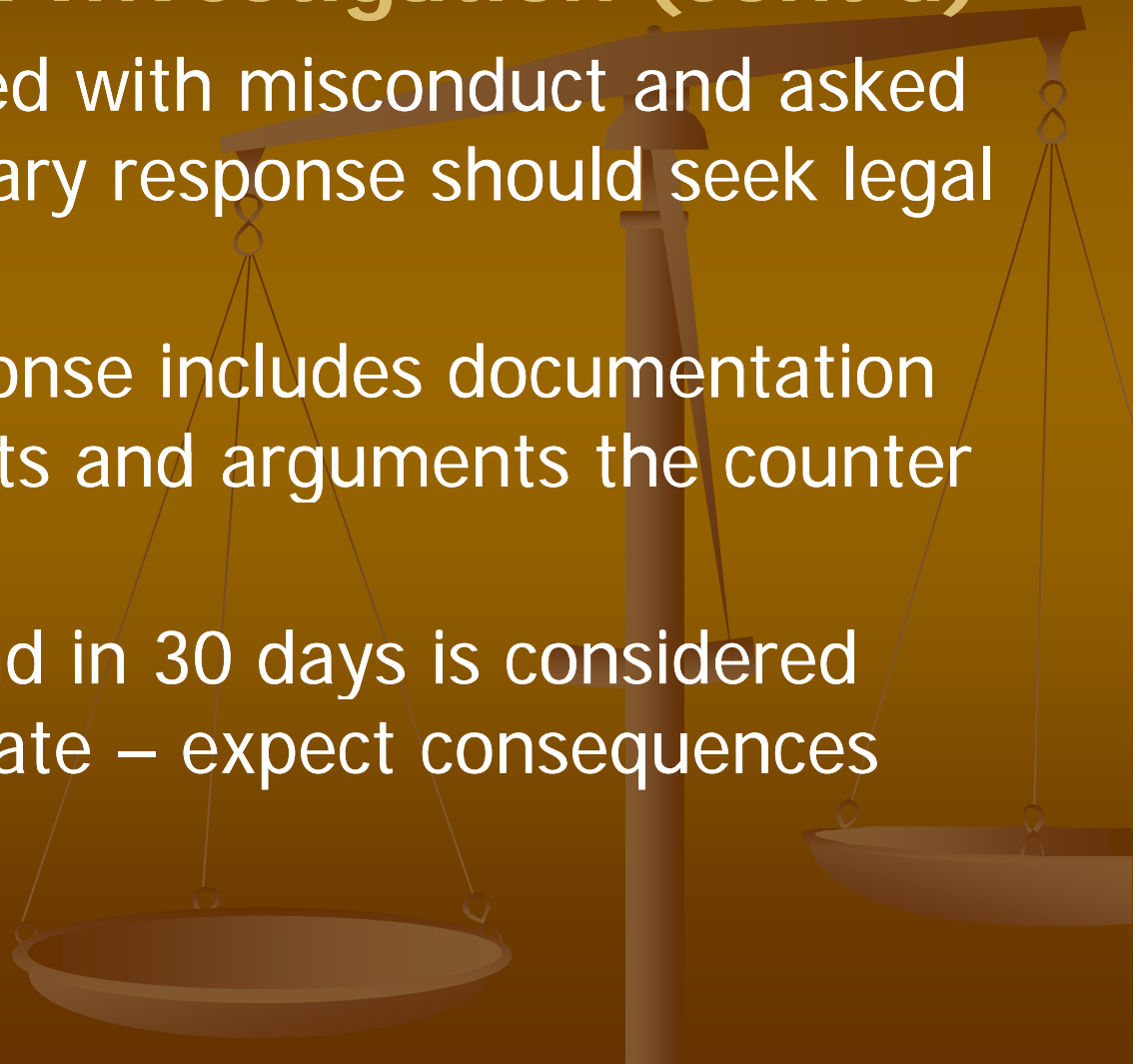
Responses and Investigation

- Ethics Officer notifies the 'Respondent' within two weeks and provides documentation
 - The Ethics Officer has two options :
 - Instruct the Respondent to file a preliminary response to the Ethics Officer (in 30 days)
 - Dismiss if EO does not find basis for a charge – but the Charging Party has right to appeal dismissal of charges by writing to the Ethics Committee within 30 days – may be reversed.
- 

AICP Code of Ethics

Responses and Investigation (cont'd)

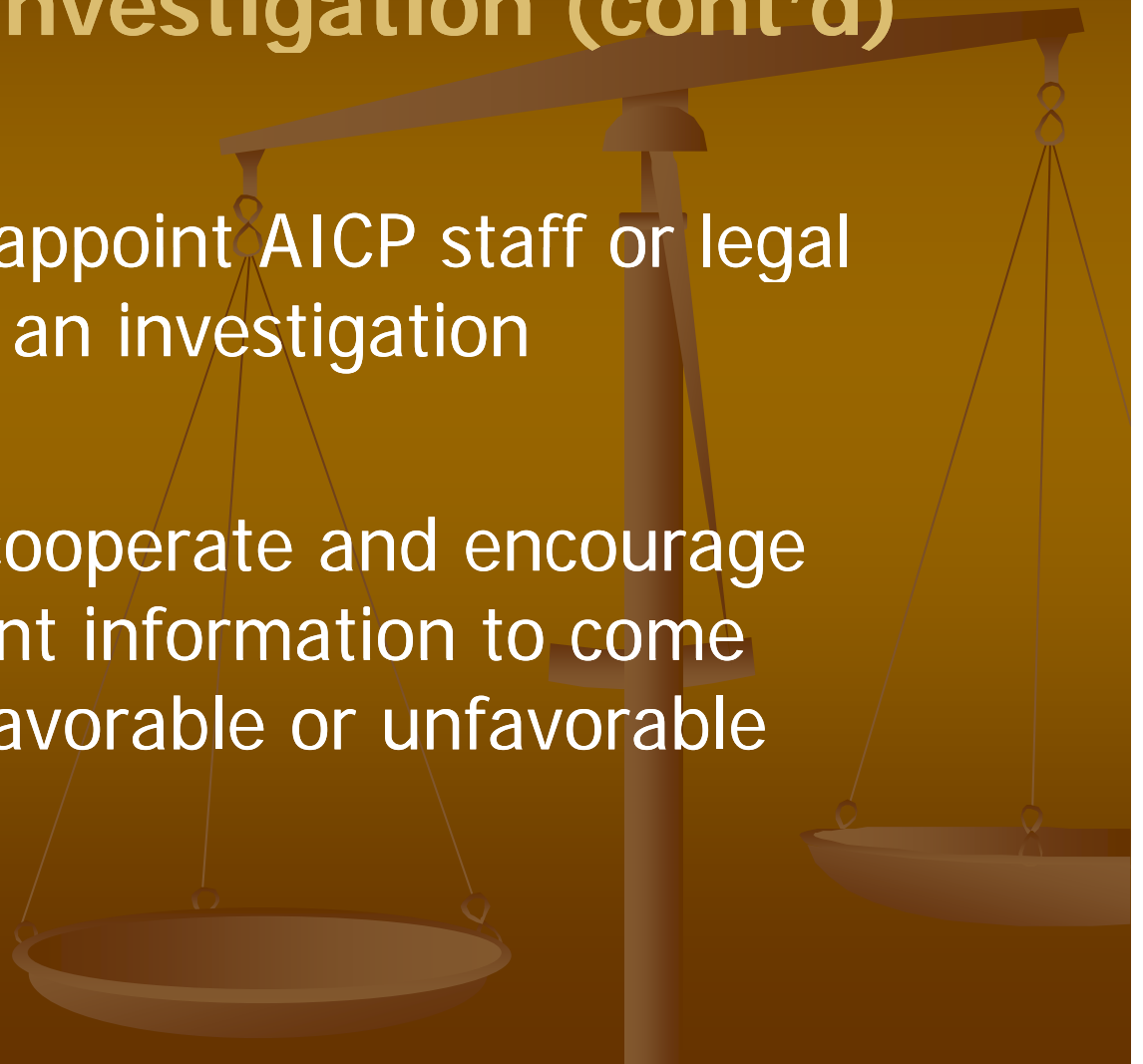
- A Planner charged with misconduct and asked to file a preliminary response should seek legal counsel
- Preliminary response includes documentation of all facts, events and arguments the counter the charge
- Failure to respond in 30 days is considered failure to cooperate – expect consequences



AICP Code of Ethics

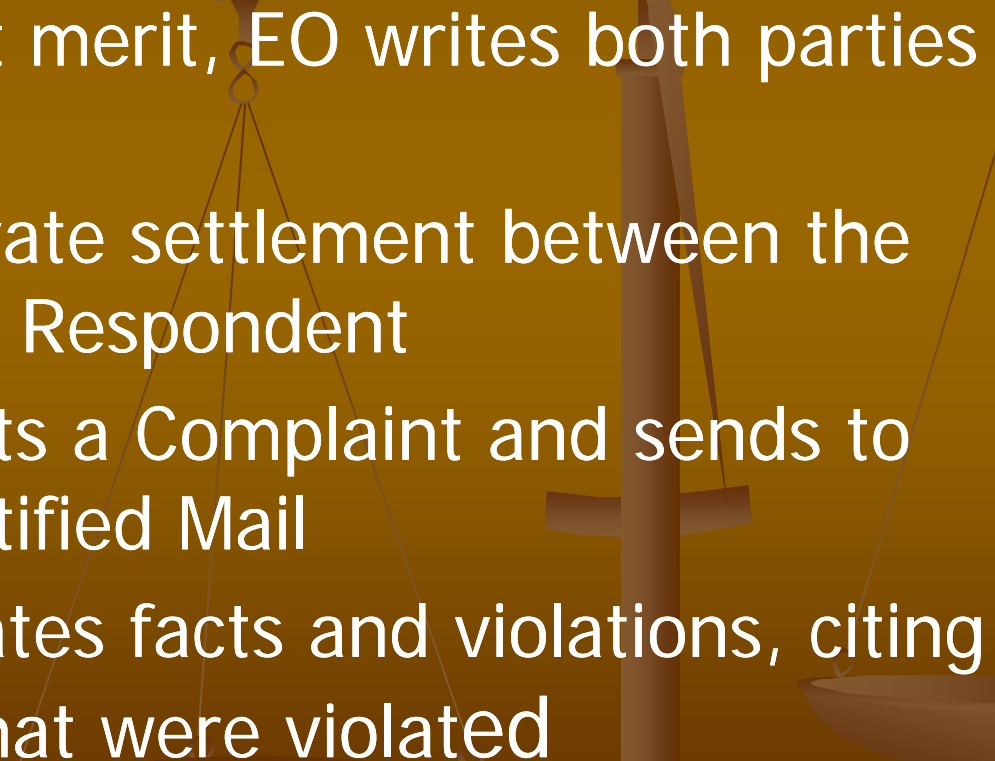
Responses and Investigation (cont'd)

- Ethics Officer may appoint AICP staff or legal counsel to conduct an investigation
- Respondent must cooperate and encourage others with pertinent information to come forward, whether favorable or unfavorable



AICP Code of Ethics

Responses and Investigation (cont'd)

- If charge is without merit, EO writes both parties and explains why
 - EO may seek a private settlement between the Charging Party and Respondent
 - Otherwise, EO drafts a Complaint and sends to Respondent by Certified Mail
 - Complaint enumerates facts and violations, citing Rules of Conduct that were violated
- 

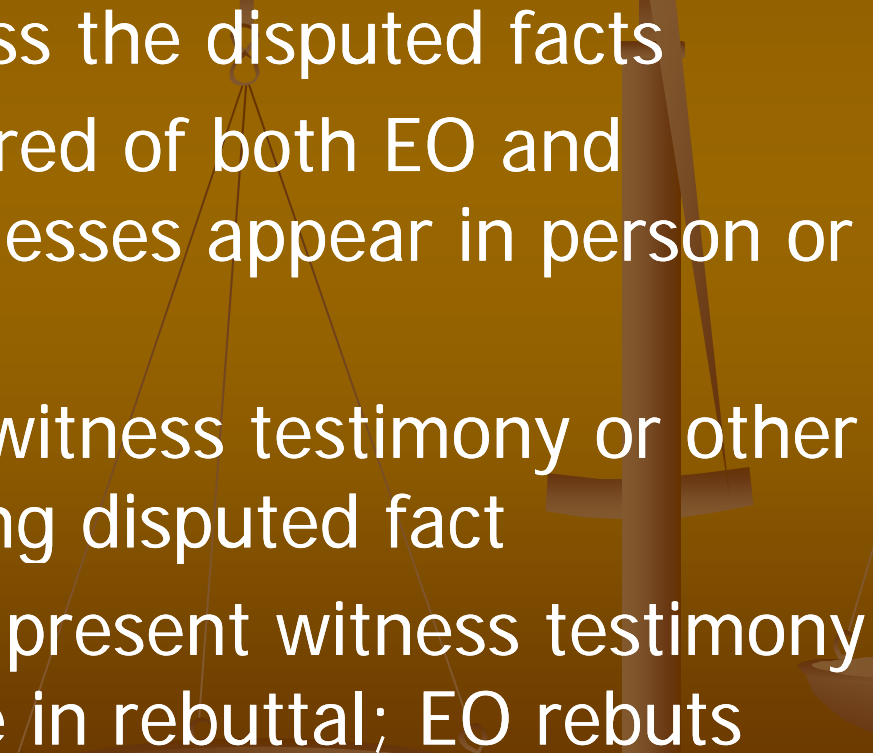
AICP Code of Ethics

Hearings, Decisions and Settlement

- Hearing is required if material facts are in dispute
 - A Hearing Official is designated from among the Ethics Committee members
 - EO transmits a “Notice of Hearing” to the Respondent and an *identified* Charging Party, citing the disputed facts – Hearing set near the site of the incident
- 

AICP Code of Ethics

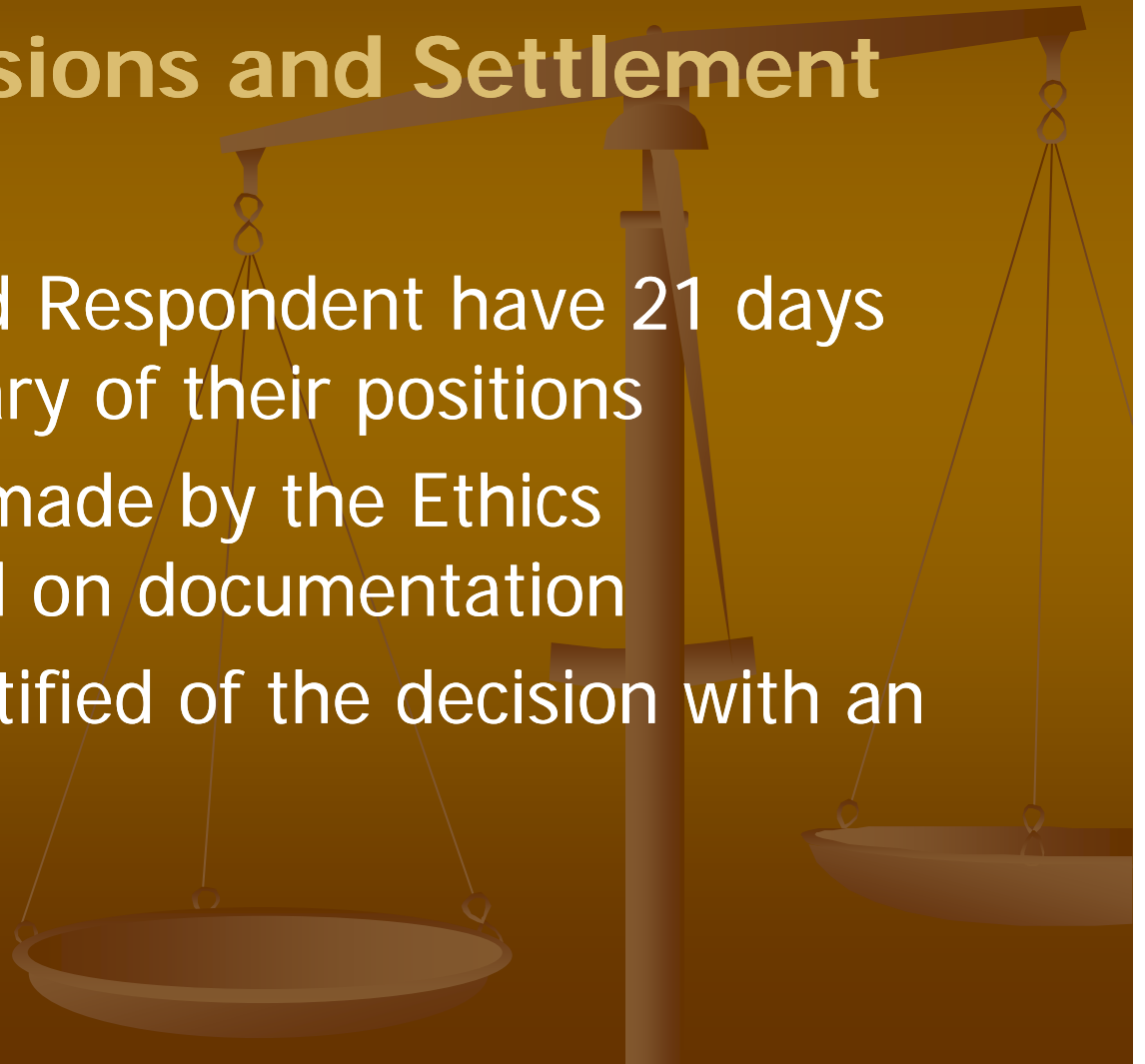
Hearings, Decisions and Settlement

- Hearing to address the disputed facts
 - Witness list required of both EO and Respondent – witnesses appear in person or video tape
 - EO may present witness testimony or other evidence regarding disputed fact
 - Respondent may present witness testimony or other evidence in rebuttal; EO rebuts
- 

AICP Code of Ethics

Hearings, Decisions and Settlement

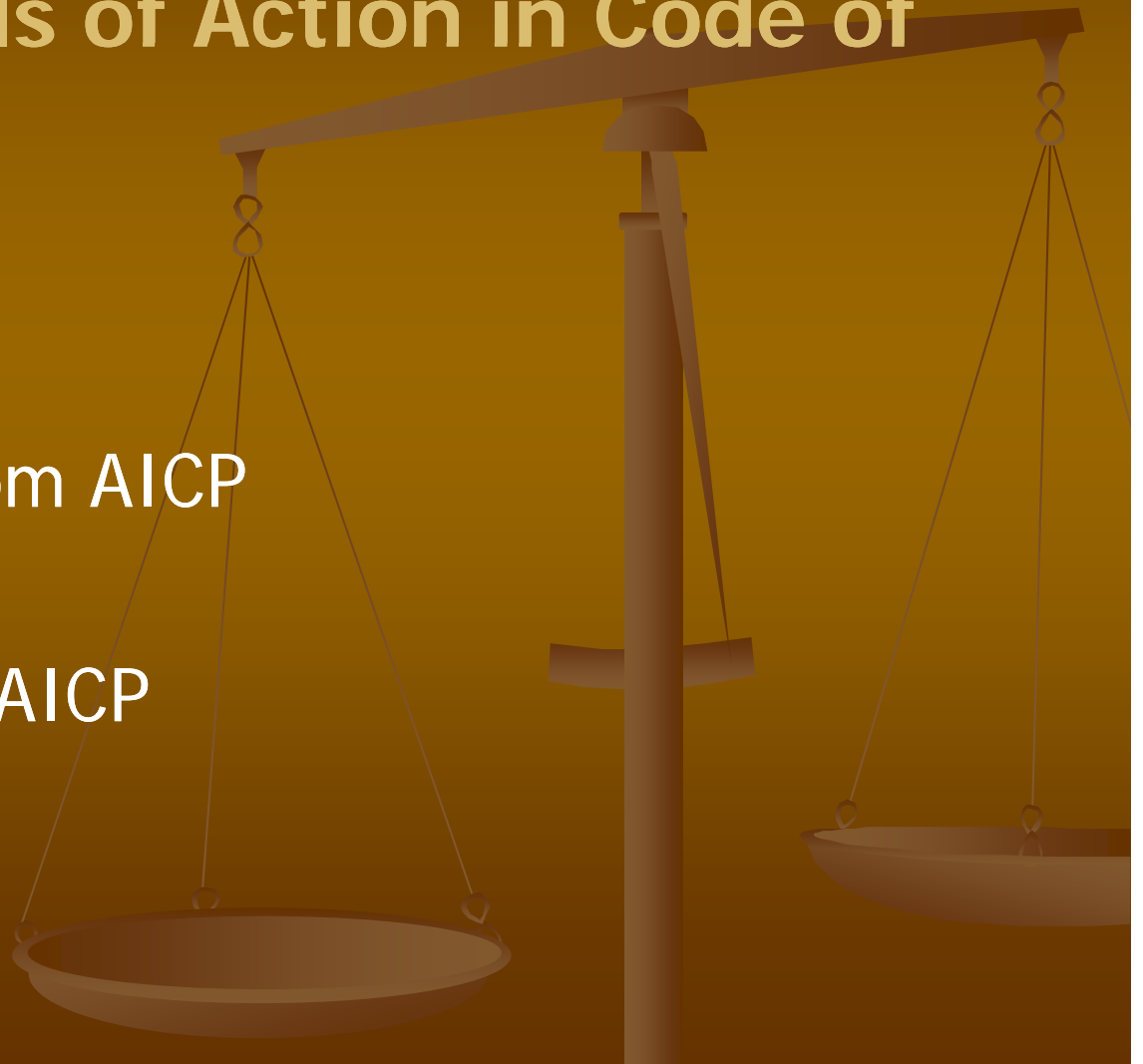
- Ethics Officer and Respondent have 21 days to submit summary of their positions
- Final decision is made by the Ethics Committee based on documentation
- All parties are notified of the decision with an explanation



AICP Code of Ethics

Three (3) Levels of Action in Code of Ethics

- Reprimand
- Suspension from AICP
- Expelled from AICP

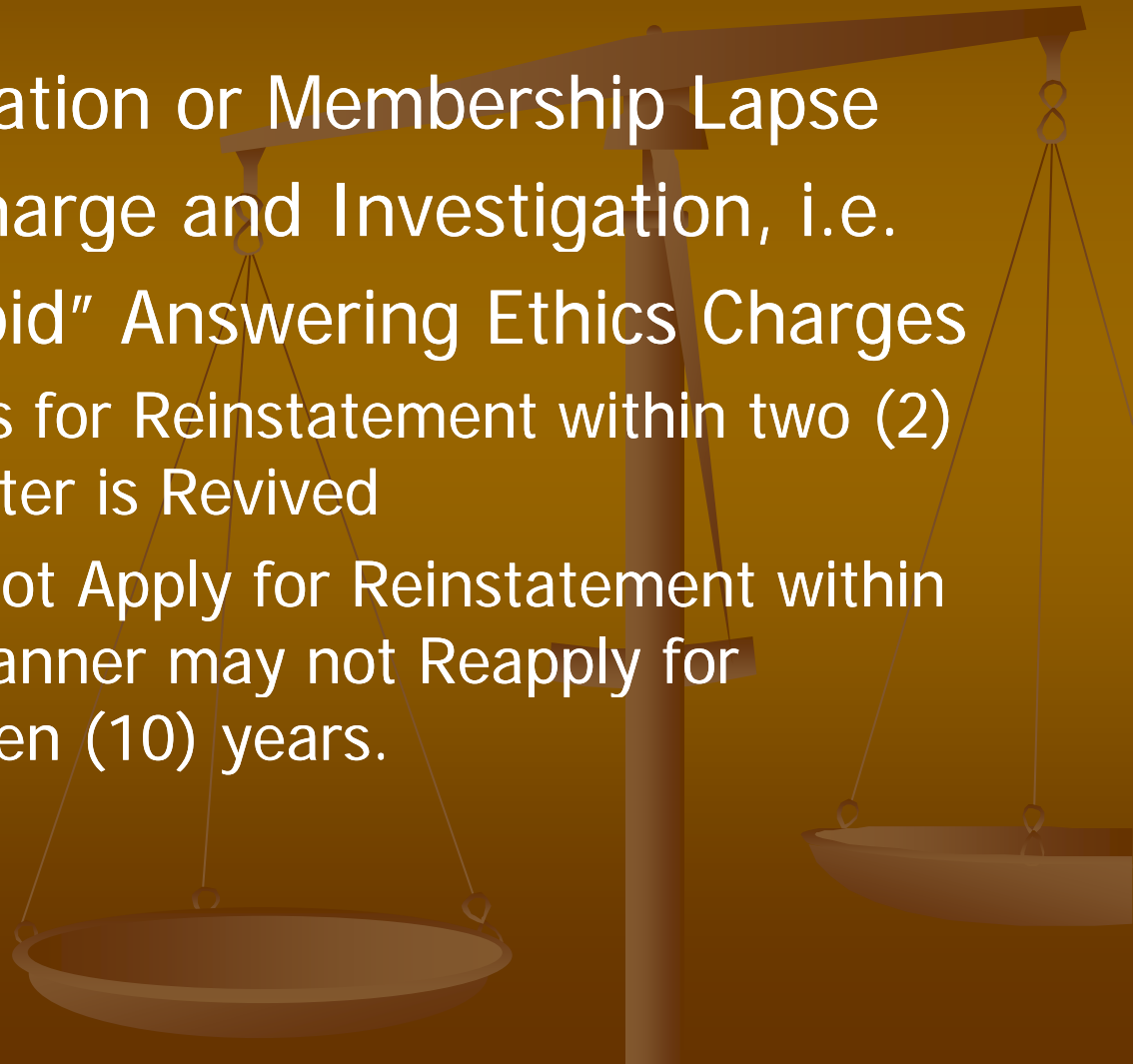


AICP Code of Ethics

Section C: Our Rules of Procedure

Section 16 –Resignation or Membership Lapse During an Ethics Charge and Investigation, i.e. Resignation to “Avoid” Answering Ethics Charges

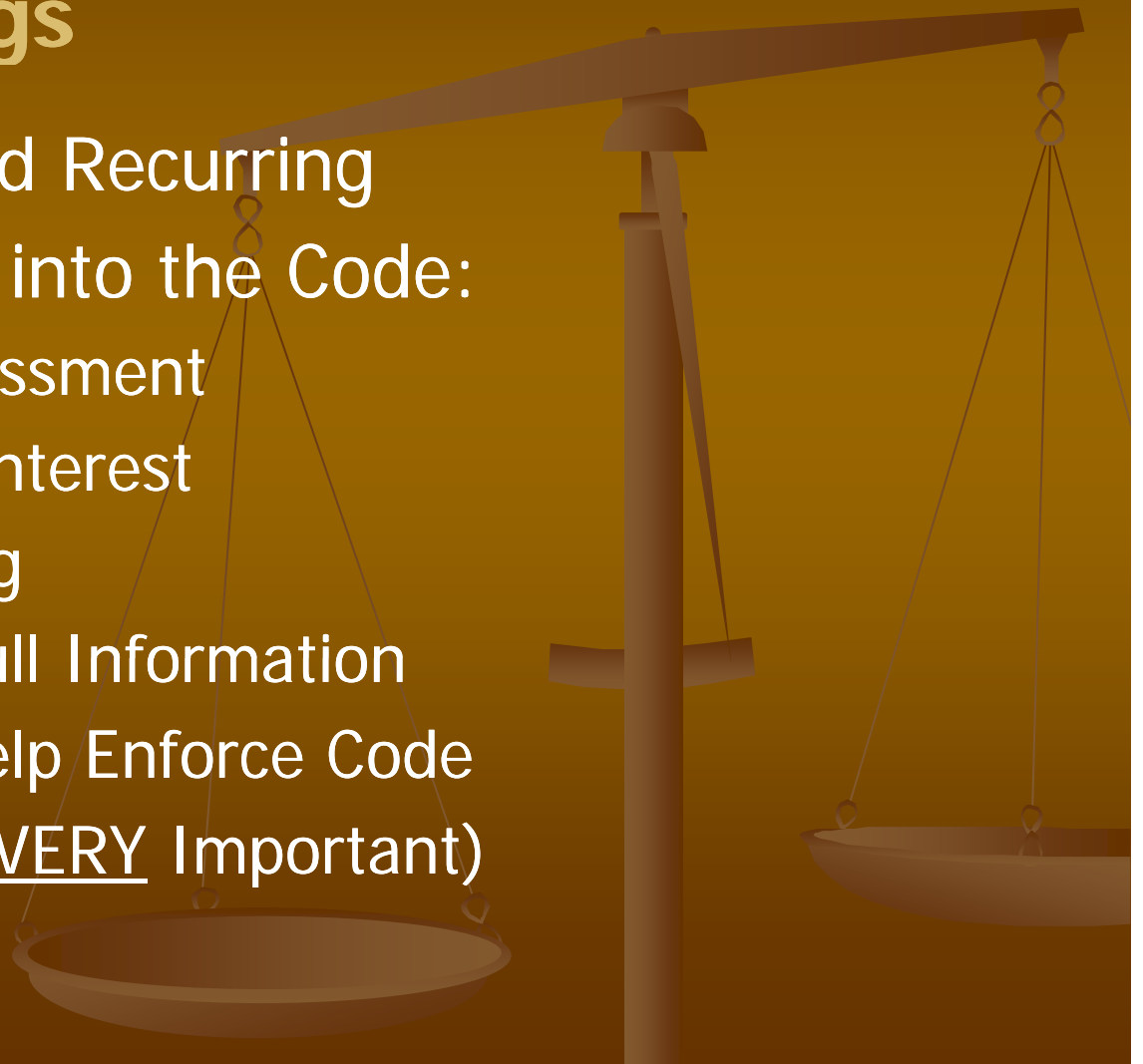
- If Planner Applies for Reinstatement within two (2) years, Ethics Matter is Revived
- If Planner does not Apply for Reinstatement within two (2) years, Planner may not Reapply for Certification for ten (10) years.



AICP Code of Ethics

Advisory Rulings

- Important and Recurring
- Incorporated into the Code:
 1. Sexual Harassment
 2. Conflict of Interest
 3. Moonlighting
 4. Providing Full Information
 5. Duties to Help Enforce Code
 6. Disclosure (VERY Important)



AICP Code of Ethics

Sources

- “Everyday Ethics for Practicing Planners”, by Carol D. Barrett, FAICP, 2001, APA Press
- APA Website, Code of Ethics:
www.planning.org/ethics/conduct.html
- Certified Planners and Ethics, by Paul Farmer, FAICP:
www.planning.org/ethics/pdf/farmeraddress.pdf

Audience Comments and Questions!

