AICP CODE OF ETHICS

AICP Exam Review Session
February 13, 2010
Georgia Tech, Atlanta
AICP Exam Review

Agenda

- Introduction to AICP Code of Ethics
- Discussion and Questions

Code of Ethics = 5% of Exam
AICP Code of Ethics

Introduction

- Many professions have codes of ethics
- Unique to planners is the “Public Interest”
- State and local government employees usually have ethics responsibilities and local laws
- Possible conflicts between AICP and local ethics
- Possible conflicts with dual specialists, i.e. Lawyers
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- Professional Development Survey - 2006
- Georgia Chapter APA
- Results presented for 20 topics
- Top 3: Land Use, Growth Management, Land Use Law
- Bottom 3: Eminent Domain, Ethics, Solid Waste Management
- Not high on everyone’s agenda, but very important
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Revised Code of Ethics

- 1st Revision in 25 years (1978 Adoption)
- Adopted March 15, 2005
- Became Effective June 1, 2005

AICP Exam questions are now based on this new Code of Ethics
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Revised Code of Ethics

- Main point of confusion was between Aspirational and Enforceable Standards
  - Reorganized the Code
  - Separate these two categories of Standards

- Clarification of Procedures for Administration
  - Clearly States the Process to File a Charge
  - Establishes Time Limits for Responses and Action
  - Appointment of an Ethics Officer = APA Executive Director
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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
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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.
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Section B: Our Rules of Conduct

- New Style - “We Shall Not…”
- List of Twenty-five (25) Rules – Enforceable Standards
- Review this List for Exam
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- Provide adequate, timely, clear, accurate info
- Not accept illegal or unethical work
- Don’t advocate against a prior position of one’s own (except under conditions)
- Moonlight only with disclosure and permission
- Keep confidential info confidential (except under conditions)
- No ex parte communication, if illegal
- No sunshine violations, if illegal
- Don’t misrepresent credentials
- Don’t imply improper influence
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- Work only within competence; don’t promise unachievable time or results
- Don’t plagiarize
- Don’t discriminate illegally
- Don’t retaliate or threaten retaliation against a person who has filed a charge of ethical misconduct against us.
- Don’t threaten to file an ethics charge in order to gain, or attempt to gain, an advantage in dealings with another planner.
- Don’t file frivolous charge of ethical misconduct against another planner.
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Key Tensions:

- Client loyalty vs. Public interest
  - Information availability
  - Objectives prioritization
  - Development vs. Environment/Equity
- Personal/Professional advantage vs. Client interests
  - Results
  - Recommendations
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Section C: Our Rules of Procedure

- Informal Advice
  - Non-Binding
  - Not in Writing

- Formal Advice
  - Binding from AICP Ethics Officer
  - Provided in Writing
  - Twenty-one (21) Days Response Time Limit
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Section C: Our Rules of Procedure

Formal Advisory Rulings Still Possible
- Added as Needed to the Existing Six (6)

Filing a Charge of Misconduct
- AICP Ethics Officer Receives Charge
- Ten (10) days to Transmit to the Certified Planner – the “Respondent”
- Right of Counsel – Clearly Stated
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Section C: Our Rules of Procedure

New Section 16 – Important

- Regarding 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.
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Section C: Our Rules of Procedure

Responses, Investigation, Hearings, Decisions and Settlement

- Each is Assigned Specific Time Limits

Roles and Responsibilities of:

- Charging Party
- Respondent
- AICP Ethics Officer = APA Executive Director
- AICP Ethics Committee
- AICP Commission
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Three (3) Levels of Action in Code of Ethics

- Reprimand
- Suspension from AICP
- Expelled from AICP
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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)
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On AICP Exam, Ethics will likely have situational questions (Ethical Scenarios)

- Best answer will be how the AICP Code of Ethics would address the situation

- NOT how your boss or employer might want you to handle the situation
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Study Procedural Guidelines

- There **WILL** likely be questions on the AICP Exam that deal with Procedures under the Code
  - Informal Advice
  - Formal Charges

Know the Roles of:

- AICP Ethics Officer = APA Executive Director
- AICP Ethics Committee
- AICP Commission
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Sources

- APA Website, Code of Ethics: [www.planning.org/ethics/conduct.html](http://www.planning.org/ethics/conduct.html)
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Questions About AICP Code of Ethics and Professional Conduct?

Thank You and Good Luck!