

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

AICP Code of Ethics

■ 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

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**

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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

- “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

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- **Questions About AICP Code of Ethics and Professional Conduct?**

Thank You and Good Luck!