AICP Exam Review

- Agenda
  - Introduction to AICP Code of Ethics
  - Discussion and Questions

- Code of Ethics = 5% of Exam
AICP CODE OF ETHICS

AICP Exam Review Session January 19, 2013
Georgia Tech, Atlanta
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
AICP Code of Ethics

- 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
  - 1\textsuperscript{st} 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
AICP Code of Ethics

- 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
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

  - New Style - “We Shall Not…”
  - List of Twenty-five (25) Rules – Enforceable Standards
  - Review this List for Exam
AICP Code of Ethics

- 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
AICP Code of Ethics

- 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.
AICP Code of Ethics

Key Tensions:

- Client loyalty vs. Public interest
  - Information availability
  - Objectives prioritization
  - Development vs. Environment/Equity

- Personal/Professional advantage vs. Client interests
  - Results
  - Recommendations
AICP Code of Ethics

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
AICP Code of Ethics

- **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
AICP Code of Ethics

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.
AICP Code of Ethics

▪ 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
AICP Code of Ethics

- Three (3) Levels of Action in Code of Ethics
  - Reprimand
  - Suspension from AICP
  - Expelled from AICP
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

- 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
AICP Code of Ethics

- **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
AICP Code of Ethics

Sources


- APA Website, Code of Ethics: [www.planning.org/ethics/conduct.html](http://www.planning.org/ethics/conduct.html)

AICP Code of Ethics

QUESTIONS?