



American Planning Association
Georgia Chapter

Making Great Communities Happen

Ethics and Professional Conduct

AICP EXAM REVIEW

21 February 15

Georgia Tech Student Center

Section A contains a statement of *aspirational principles* that constitute the ideals to which we are committed. We shall strive to act in accordance with our stated principles. However, an allegation that we failed to achieve our aspirational principles cannot be the subject of a misconduct charge or be a cause for disciplinary action.

Section B contains *rules of conduct* to which we are held accountable. If we violate any of these rules, we can be the object of a charge of misconduct and shall have the responsibility of responding to and cooperating with the investigation and enforcement procedures. If we are found to be blameworthy by the AICP Ethics Committee, we shall be subject to the imposition of sanctions that may include loss of our certification.

Questions likely to be situational...

- Best answers will focus on the Code...
- NOT on how your boss or client might want you to handle the situation.

- Deontological Ethics
 - Concerned with the rightness of an act itself.
 - Moral rights and duties (e.g. Ten Commandments)
 - Kant's principle of humanity (treat humanity never as a means but always as an end)
 - Tend to the procedural (being fair, telling the truth, avoiding conflict of interest, not stealing, no plagiarism, equal opportunity)
- Consequentialist Ethics (Teleological Ethics)
 - Concerned with the goodness of the consequences of action.
 - e.g.. utilitarianism ("greatest good to the greatest number"; balance of pleasure over pain)
 - Often involve the Public Interest (economic efficiency, environmental protection, collective goods provision, public welfare, equity, redistribution).

Aspiration Principles I: the Public

- Conscious of rights of others
- Concern for long-range consequences
- Attend to interrelatedness of decisions
- Timely, adequate, clear, accurate info
- Give people meaningful opportunity
- Seek social justice
- Promote excellence of design; preserve natural and built environment
- Deal fairly with participants

Aspirational Principles II: Clients and Employers

- Independent professional judgment
- Accept decisions of clients/employers
 - Except if illegal or inconsistent with public interest
- Avoid conflict of interest

Aspirational Principles III: Profession and Colleagues

- Protect integrity of profession
- Educate public about planning
- Fairly comment on other professionals' work
- Share results of experience and research
- Not accept customary approaches without establishing appropriateness
- Contribute to prof development of others
- Increase opportunity of underrepresented
- Enhance our education
- Critically analyze ethical issues in practice
- Contribute to voluntary prof activities

Rules I

- 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
- No corruption (except in public interest and with public knowledge)
- Keep confidential info confidential (except..)
- No ex parte communication, if illegal
- No sunshine violations, if illegal

Rules II

- Don't misrepresent credentials
- Don't imply improper influence
- Work only within competence; don't promise unachievable time or results
- Don't plagiarize
- Don't push others to over-reach from data
- Disclose client's interests
- Don't discriminate illegally
- Be honest and forthcoming with Ethics Committee

Key Tensions

- Client loyalty v. public interest
 - Research design
 - Information availability
 - Objectives prioritization
 - Development v. environment/equity
- Personal advantage v. client interests
 - Replication of work
 - Changed recommendations

Rules of Procedure

- Informal Advice
 - Non-binding
 - Not in writing
- Formal Advice
 - Binding; from AICP Ethics Officer
 - Provided in writing
 - 21 day response time limit

Rules of Procedure

- Filing a charge of misconduct
 - Submitted to AICP Ethics Officer
 - 10 days to submit to the named AICP member; the "Respondent"
 - Right of Counsel
- Resignation/Membership Lapse
 - If planner applies for reinstatement within 2 years, ethics matter is revived
 - If planner does not reapply within 2 years, planner may not reapply for ten years.

Rules of Procedure

- Specific time limits for:
 - Responses
 - Investigation
 - Hearings
 - Decisions and/or settlement
- Specific roles/responsibilities for:
 - Charging party
 - Respondent
 - AICP Ethics Officer
 - AICP Ethics Commission
 - AICP Commission

AICP Code of Ethics

- Possible Actions:
 - Reprimand
 - Suspension from AICP
 - Expulsion from AICP
- Advisory rulings:
 - Sexual harassment
 - Conflict of interest
 - Moonlighting
 - Providing full information
 - Duties to help enforce code
 - Disclosure (“very important”)

Study procedure!

- There will likely be exam questions that deal with procedures (informal advice/formal charges).
- Know the roles of:
 - AICP Ethics Officer
 - AICP Ethics Commission
 - AICP Commission

2012 Report from the Committee

- AICP Code of Ethics and Professional Conduct
- Annual Report on Case Activity and Requests for the 2012 Calendar Year
- Ethics Cases During 2012
 - **2 Total Cases**
 - **Cases Resolved**
 - Cases Dismissed

- **Cases Pending**
 - 2 Charges Under Review
 - 0 Complaints Under Review
- Ethics Committee Actions
 - No actions
 - Requests for Formal Advice
 - No requests

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

Ethics and Professional Conduct

QUESTIONS?