



PLANNING ETHICS, PUBLIC PARTICIPATION & SOCIAL JUSTICE

AICP Classroom Review

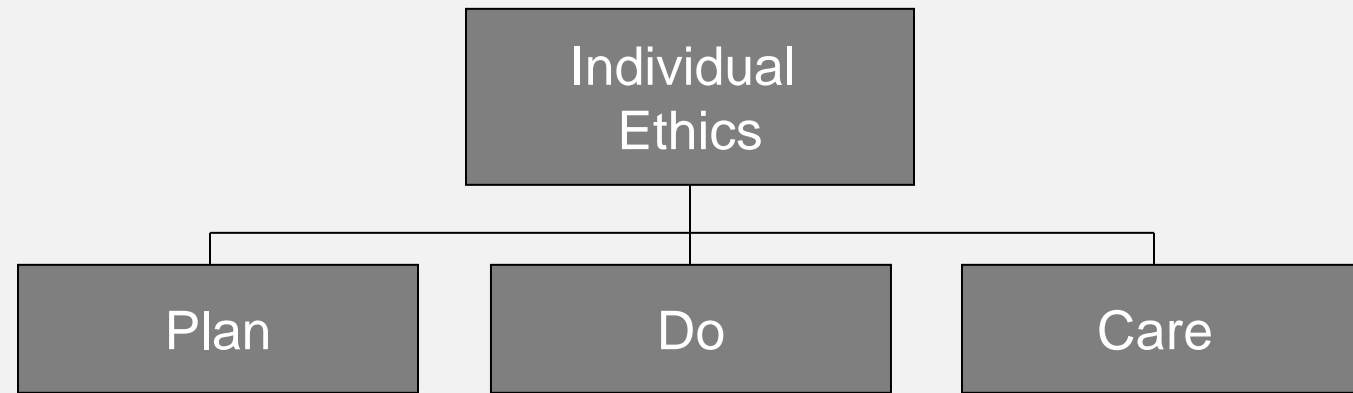
Saturday, March 26, 2022

OUTLINE

- Social Justice & Planning
- Today's Planning Context
- Public Participation in Governance
- AICP Code of Ethics
- Sample Questions



EVERYDAY ETHICS



SOCIAL JUSTICE CONTEXT

- Luigi Taparelli, a Jesuit Priest first coined the term “social justice” in 1850s and wrote about problems of the working class in an Italian Journal publication, *Civiltà Cattolica*.
- Society is not a monolithic group of individuals, but various levels of sub-societies in which individuals have rights and duties.
- All levels of society should cooperate rationally and not resort to competition and conflict.
- Leaders in our profession define certain methods of practice:
 - Paul Davidoff
 - Norman Krumholz
 - Saul Alinsky
 - Beverly Loraine Greene
 - Sherry Arnstein

SOCIAL JUSTICE TIMELINE

1840 Luigi
Taparelli

1890 Jacob Riis,
How the Other
Half Lives

1950s Civil
Rights
Movement

1968 American
Indian
Movement

1978 AICP
Code of Ethics

3 Es
Environment,
Economy, Social
Equity



HUMAN RIGHTS AND SOCIAL JUSTICE

- **What Makes for a Sustainable Place?**

“Sustainable Communities are cities and towns that prosper because people work together to produce a high quality of life that they want to sustain and constantly improve. They are communities that flourish because they build a mutually supportive, dynamic balance between social well-being, economic opportunity, and environmental quality.”

Sustainable Communities Task Force Report, 1997

- **Why Lead with Race?**

“[The Government Alliance for Racial Equity] leads with race, with the recognition that the creation and perpetuation of racial inequities has been baked into government, and that racial inequities across all indicators for success are deep and pervasive. We also know that other groups of people are still marginalized, including based on gender, sexual orientation, ability and age, to name but a few. Focusing on racial equity provides the opportunity to introduce a framework, tools and resources that can also be applied to other areas of marginalization.”

<https://www.racialequityalliance.org/about/our-approach/race/>

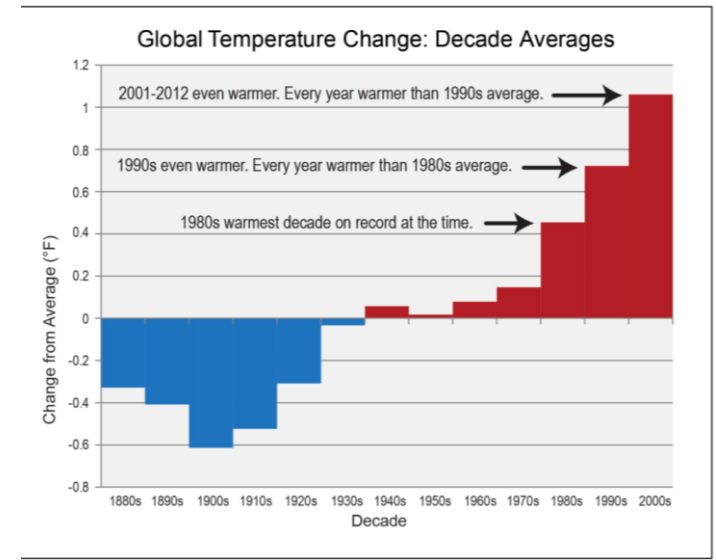
- **To Save Democracy, Start with Human Rights.**

“Supporting the rule of law by holding officials accountable, constructing an accurate account of the recent past, and recommitting to human rights at home are essential to restoring the confidence in government that underlies our shared national life. Such work can help create a new sense of community, which is a fundamental aspect of a healthy democracy.”

<https://ctmirror.org/category/ct-viewpoints/to-save-democracy-recommit-to-principles-of-the-rule-of-law-and-human-rights-at-home/>



DIMENSIONS OF OUR TIME



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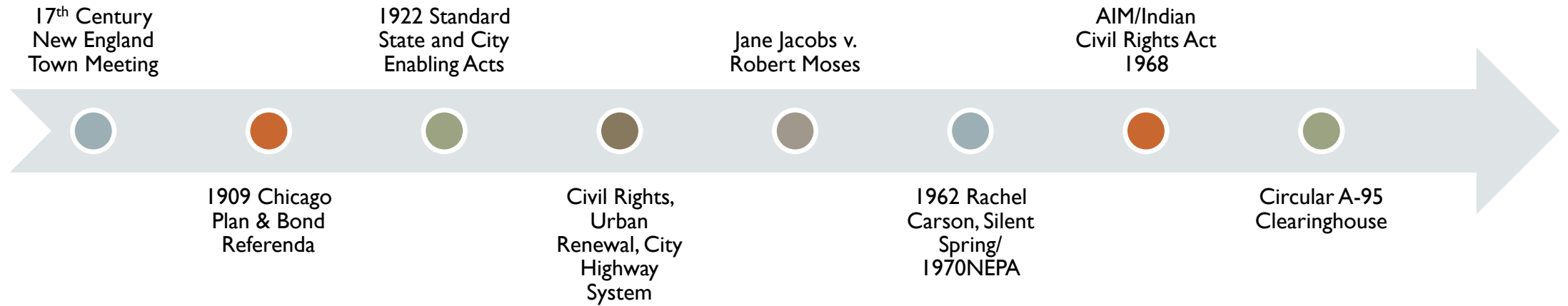




OUR MANDATE FOR COMMUNITY SERVICE

- **Proactive and participative engagement of the public**
- **Process involving the public in problem solving and/or using public input to make decisions**

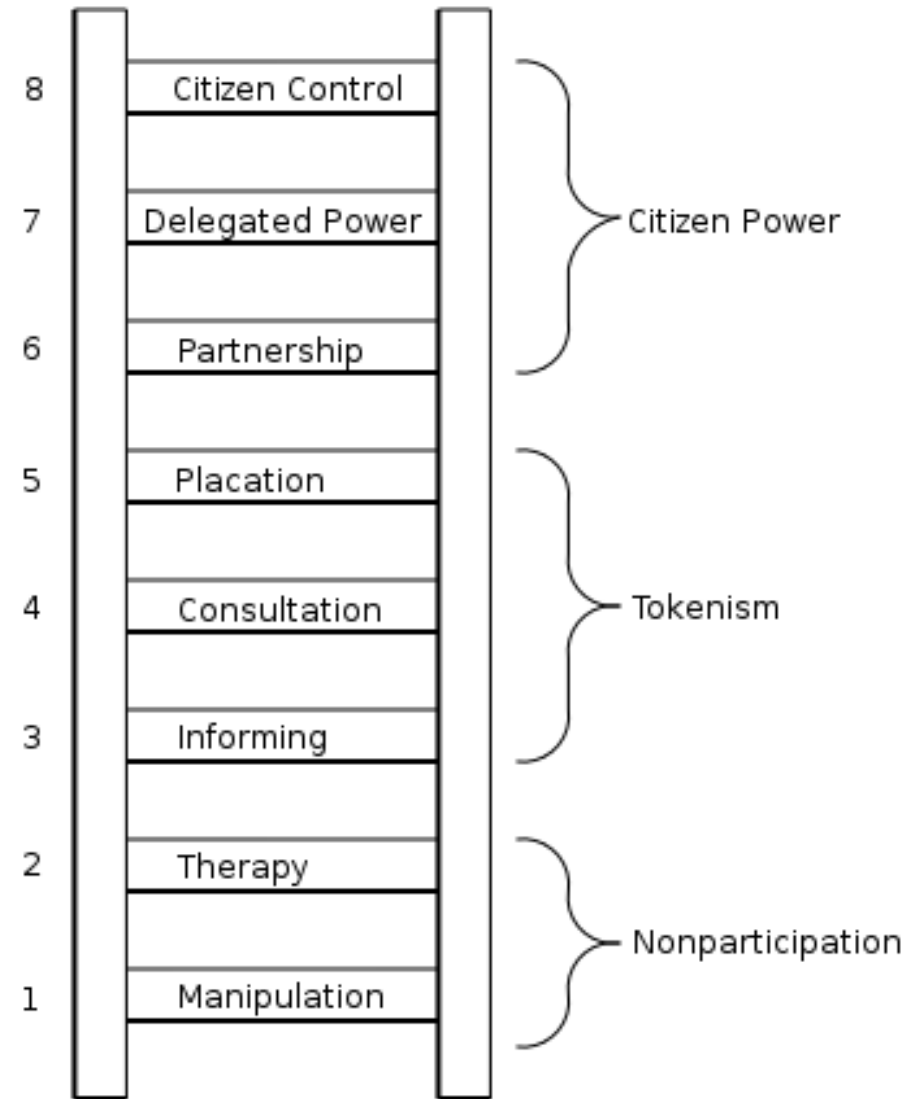




PUBLIC PARTICIPATION TIMELINE

PARTICIPATION METHODS

- **Community Dinner**
- **Pop-up Event**
- **Social Media**
- **Survey**
- **Pre-meeting (The Right Question)**
- **Charrette**
- **Our digital “zoom” future?**





Tackling Equity

Crafting Communities of Opportunity

SARAH KELLY, AICP
Planning NEXT

KEVIN HIVELY
Ninigret Partners

KYLE MAY, AICP
Planning NEXT

ERIN BARGER
Envision Athens

APA 2019 NATIONAL PLANNING CONFERENCE



Envision Athens: The DNA

- ✓ *Open and inclusive*
- ✓ *Intuitive and informed*
- ✓ *Carefully designed and facilitated*
- ✓ *Lead to implementation*
- ✓ *Funded by public-private partnership*
- ✓ *Process led by citizen Steering Committee*
- ✓ *Now guided by an Implementation and Oversight Committee*
- ✓ *Both groups are representative of Athens's diversity*

The **ACTION** we
need to bring
the **CHANGE**
we want.



EXAM TIPS

- Know the facts about key influencers.
- Recognize the key points about a planning tradition.
- Match citizen participation techniques appropriately to an assignment.

AICP CODE OF ETHICS & PROFESSIONAL CONDUCT

NEW CODE – NOV 2021

“...these revisions urge planners to account for the planners' role in social justice and racial equity; to respect the rights of others, and to increase opportunities for underrepresented groups to become professional planners...”
Mitch Silver, 2021

AICP CODE OF ETHICS

A – Principles to Which We Aspire

B - Rules of Conduct

C - Advisory Opinions

D – Adjudication of Complaints of Misconduct

E - Discipline of Members



SECTION A

PRINCIPLES TO WHICH WE ASPIRE

1. People who participate in the planning process shall continuously pursue and faithfully serve the public interest.
2. People who participate in the planning process shall do so with integrity.
3. People who participate in the planning process shall work to achieve economic, social and racial equity.
4. People who participate in the planning process shall safeguard the public trust.
5. Practicing planners shall improve planning knowledge and increase public understanding of planning activities.

SECTION B

OUR RULES OF CONDUCT

1. Quality and integrity of practice.
2. Conflict of interest.
3. Improper influence / abuse of position.
4. Honesty and fair dealing.
5. Responsibility to employer.
6. Discrimination / harassment.
7. Bringing a charge / lack of cooperation with Ethics Officer.

SECTION C

ADVISORY OPINIONS

Any person, whether or not an AICP member, may seek informal advice from the Ethics Officer, and any AICP member may seek a formal opinion from the Ethics Committee, on any matter relating to the Code of Ethics and Professional Conduct. In addition, the Ethics Committee may, from time to time, issue opinions applying the Code to ethical matters relating to planning.

- **Informal Advice**
- **Formal Advisory Opinions Requested By A Member**
- **Formal Advisory Opinions Issued Without Request Of A Member**

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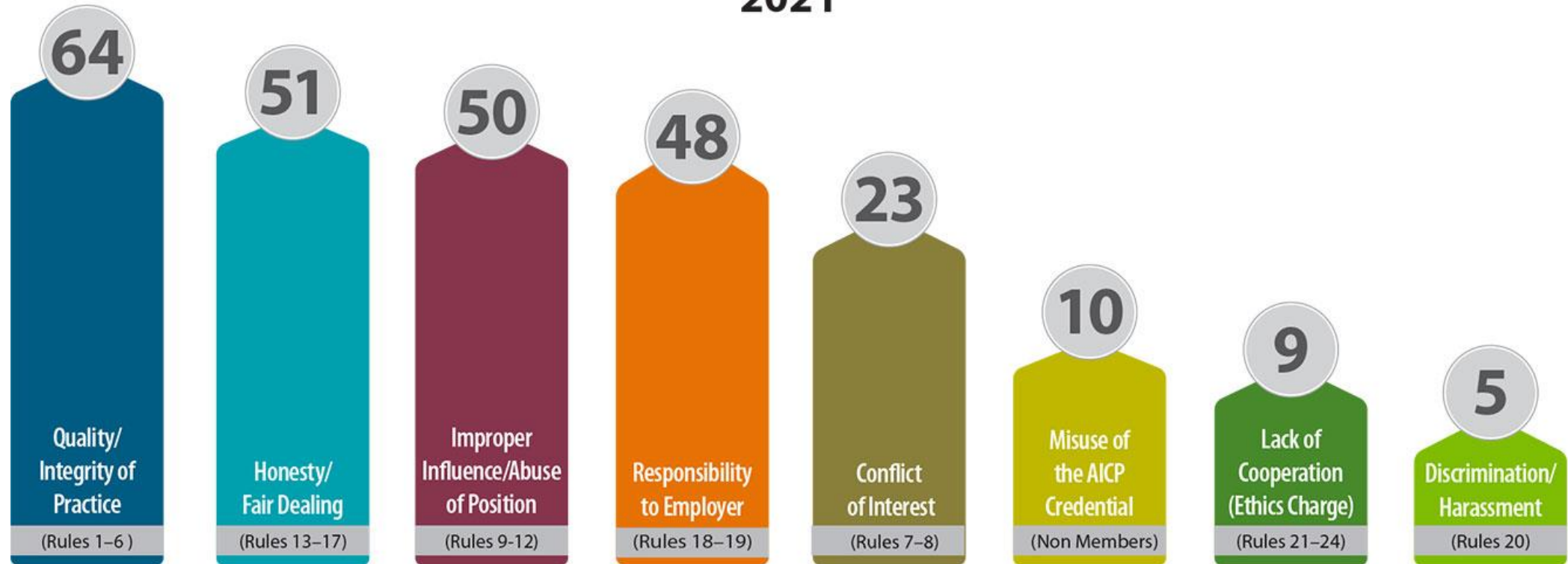
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SECTION D

ADJUDICATION OF COMPLAINTS OF MISCONDUCT

- Agreements by non-AICP members to cease misuse of AICP credential (four cases)
- Confidential Letter of Admonition: To a consulting planner (FAICP member) for plagiarism in a public document.
- Public Letter of Admonition to a public planner (FAICP member) for taking credit for the work of others in a professional resume.
- Indefinite Suspension of AICP membership to a public planner who sent inappropriate text messages regarding an elected official to a plan commission member. The indefinite length of the suspension was applied since the planner previously had been suspended for making inappropriate comments on social media and in emails.
- Revocation of AICP membership to a public planner who worked two public jobs simultaneously, without notifying either employer.

Ethics Cases/Calls—By Topic Areas 2021



SAMPLE QUESTIONS

Courtesy, APA NPC 2020



Code of Ethics *and* Professional Conduct

The American Institute of Certified Planners requires its members to adhere to the ethical standards of a detailed Code of Ethics and Professional Conduct. The principles of the Code are organized under the following headings:

THE PLANNER'S RESPONSIBILITY TO THE PUBLIC

A planner's primary obligation is to serve the public interest. A planner owes allegiance to a concept of the public interest that is formulated through continuous and open debate.

THE PLANNER'S RESPONSIBILITY TO CLIENTS AND EMPLOYERS

A planner owes diligent, creative, and competent performance of work in pursuit of the client's or employer's interest. Such performance should be consistent with the planner's faithful service to the public interest.

THE PLANNER'S RESPONSIBILITY TO THE PROFESSION AND TO COLLEAGUES

A planner should contribute to the development of the profession by improving knowledge and techniques, making work relevant to solutions of community problems, and increasing public understanding of planning activities.

I pledge that I will conduct myself in accordance with the principles, rules, and other requirements of the AICP Code of Ethics and Professional Conduct.

Name

Credential

Certified Planner No.

SAMPLE QUESTION #1

RESTAURANT CONFIDENTIAL

- Marcy, a restaurant owner—and member of the Coatesville City Council—sends an email to Lucio, AICP, the planning director, inquiring about the process for conditional use permits. She's concerned about a pet grooming store opening next door to her restaurant.
- Lucio tells the pet store owner about Marcy's email and, the next time the owner sees Marcy, he yells at her and accuses her of trying to stop the project.
- When Marcy asks Lucio why he told the owner about her email, he says that because she is an elected official this information was public.
- Marcy notes that she had inquired on her restaurant email and not from her city council email. Further, she notes, the owner had not made any FOIA request for the emails.
- She says comments made by the pet store owner have had a negative impact on her restaurant business.

RESTAURANT CONFIDENTIAL: ETHICAL CONSIDERATIONS

AICP Ethics Code “Aspirational Principles”

- 1.1 We shall always be conscious of the rights of others.
- 2.1 Provide timely, adequate, clear, accessible and accurate information on planning issues to all affected persons...
- 4.1 Deal fairly with all participants in the planning process.

AICP Ethics Code “Rules of Conduct”

- 13 We shall not disclose or use to our advantage, nor that of a subsequent client or employer, information gained in a professional relationship that the client or employer has requested be held inviolate or that we should recognize as confidential because its disclosure could result in detriment to the client or employer., except when disclosure is required: (1) by process of law, or (2) to prevent a clear violation of law, or (3) to prevent a substantial injury to the public

**RESTAURANT
CONFIDENTIAL**

Was Lucio correct in disclosing this information to the applicant?

- a) Yes
- b) No
- c) Not Sure

Did Lucio violate the *AICP Ethics Code* in disclosing this information?

- a) Yes
- b) No
- c) Not Sure

SAMPLE QUESTION #2

PUBLIC HEARING VIA ZOOM

Courtesy, APA NPC 2020

- During the pandemic, Costaville moved its public meetings to web-based platforms, where public engagement was handled through online forums and chat rooms.
- With continued concerns about face-to-face interactions, the Mayor has told his planning director, Lucio, AICP, to use a similar technology for an upcoming Subarea Plan workshop.
- Lucio tells the Mayor this will exclude many residents who don't have access to, or proficiency with, computers. Also, some residents won't be able to access the draft documents. Finally, Lucio says, many of these same people have concerns about affordable housing, which is a key element of the draft plan.
- Lucio suggests delaying the plan until an in-person workshop can be held. The Mayor, however, fearing the loss of state funding for the plan, orders him to go ahead with the virtual public workshop.

PUBLIC ZOOM

Should Lucio obey the Mayor and schedule the virtual workshop?

- a) Yes
- b) No
- c) Not Sure

What is the key ethical issue facing Lucio, as relating to the *AICP Ethics Code*?

- a) To accept his employer's decision
- b) To delay the workshop
- c) To explore other public engagement options
- d) Other

PUBLIC ZOOM: ETHICAL CONSIDERATIONS

AICP Ethics Code “Aspirational Principles”

- 1.2 Be conscious of the rights of others. Develop skills that enable better communication and more effective, respectful, and compassionate planning efforts with all communities, especially underrepresented communities and marginalized people, so that they may fully participate in planning. Respect the experience, knowledge, and history of all people.
- 2.2 Facilitate the exchange of ideas and ensure that people have the opportunity for meaningful, timely, and informed participation in the development of plans and programs that may affect them. Participation should be broad enough to include those who lack formal organization or influence, especially underrepresented communities and marginalized people. Attention and resources should be given to issues of equity, diversity, and inclusion and should reflect the diversity of the community.

AICP Ethics Code “Rules of Conduct”

1. We shall not deliberately fail to provide adequate, timely, clear and accurate information on planning issues.
2. We shall not accept an assignment from a client or employer when the services to be performed involve conduct that we know to be illegal or in violation of this Code.



EXAM TIPS

Know the facts (eg- “3-YR Rule”).

Approach from the lens of a public servant.

Trust your instincts.

TOGETHER NEW HAVEN



"A New Haven together we conquer but divided we fall! Sometimes the hard times bring out the best in people." -Ricky D. Evans

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#TOGETHER

APA
CT

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