OUTLINE

• Social Justice Definition and Timeline
• Public Participation Definition and Timeline
• Sample Questions
• AICP Code of Ethics
• Sample Questions

Credits: APA Exam Prep 3.0; Planning.org; CRCOG; Wikipedia; Bing Images Creative Commons
SOCIAL JUSTICE DEFINITION

• 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
• “Equity — Sustainable development promotes equity between generations and among different groups in society. It recognizes the necessity of equality and fairness, and it reduces disparities in risks and access to benefits” –Excerpt from Defining Sustainability section of CRCOG Regional Plan of Conservation and Development, 2014

• “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
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
PUBLIC PARTICIPATION DEFINITION

• 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

17th Century
New England Town Meeting

1909 Chicago Plan & Bond Referenda

1922 Standard State and City Enabling Acts

Civil Rights, Urban Renewal, City Highway System

Jane Jacobs v. Robert Moses

1962 Rachel Carson, Silent Spring/1970 NEPA

AIM/Indian Civil Rights Act 1968

Circular A-95 Clearinghouse
PARTICIPATION METHODS

BEYOND THE PUBLIC MEETING

- Community Dinner
- Pop-up Events
- Social Media
- Surveys
- Pre-meetings (The Right Question)
- Charrettes
As an ethical planner, you should primarily serve:

- your client’s interests
- the public interest
- the goals of elected officials
- desires of the local community
For which of the following demographic groups is a mail survey instrument most effective:

- The Elderly
- Middle-Aged Couples
- Apartment Dwellers
- Minorities
AICP CODE OF ETHICS

- Aspirational
- Rules of Conduct
- Advisory Opinions
- Adjudication of Complaints and Misconduct
PRINCIPLES TO WHICH WE ASPIRE
(SECTION A OF CODE)

Our Overall Responsibility to the Public

a) We shall always be conscious of the rights of others.
b) We shall have special concern for the long-range consequences of present actions.
c) We shall pay special attention to the interrelatedness of decisions.
d) We shall provide timely, adequate, clear, and accurate information on planning issues to all affected persons and to governmental decision makers.
e) We shall give people the opportunity to have a meaningful impact on the development of plans and programs that may affect them. Participation should be broad enough to include those who lack formal organization or influence.
f) We shall seek social justice by working to expand choice and opportunity for all persons, recognizing a special responsibility to plan for the needs of the disadvantaged and to promote racial and economic integration. We shall urge the alteration of policies, institutions, and decisions that oppose such needs.
g) We shall promote excellence of design and endeavor to conserve and preserve the integrity and heritage of the natural and built environment.
h) We shall deal fairly with all participants in the planning process. Those of us who are public officials or employees shall also deal evenhandedly with all planning process participants.
PRINCIPLES TO WHICH WE ASPIRE (SECTION A OF CODE)

Our responsibility to our clients and employers

a) We shall exercise independent professional judgment on behalf of our clients and employers.

b) We shall accept the decisions of our client or employer concerning the objectives and nature of the professional services we perform unless the course of action is illegal or plainly inconsistent with our primary obligation to the public interest.

c) We shall avoid a conflict of interest or even the appearance of a conflict of interest in accepting assignments from clients or employers.
PRINCIPLES TO WHICH WE ASPIRE (SECTION A OF CODE)

Our responsibility to our Profession and Colleagues

a) We shall protect and enhance the integrity of our profession.
b) We shall educate the public about planning issues and their relevance to our everyday lives.

We shall describe and comment on the work and views of others.
RULES OF CONDUCT
(SECTION B OF CODE)

• 26 Rules of Conduct (www.planning.org/ethics/ethicscode)

1. We shall not deliberately or with reckless indifference 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 these rules.

12. We shall not misstate our education, experience, training, or any other facts which are relevant to our professional qualifications.

26. We shall not fail to immediately notify the Ethics Officer by both receipted Certified and Regular First Class Mail if we are convicted of a "serious crime" as defined in Section E of the Code; nor immediately following such conviction shall we represent ourselves as Certified Planners or Members of AICP until our membership is reinstated by the AICP Ethics Committee pursuant to the procedures in Section E of the Code.
AICP CERTIFICATION REVOKED FOR FLORIDA PLANNER

The AICP certification of Patricia D. Blackshear was revoked in August 2017, after it was learned that Ms. Blackshear had pled "no contest" to three counts of perjury, which were related to a prior job as a county planning director. Following her plea in September 2016, Ms. Blackshear was sentenced to five years probation by Walton County (Florida) Circuit Court Judge Ross M. Goodman.

The AICP Ethics Committee decided to revoke Ms. Blackshear's certification after it determined her actions constituted a "serious crime," as defined by the AICP Code of Ethics and Professional Conduct. The Code's section E3 states that "the term ‘serious crime’ shall mean any crime that, in the judgment of the Ethics Committee or the Ethics Officer, involves false swearing, misrepresentation, fraud ..."

The Ethics Code also states that "the membership of a Certified Planner shall be revoked if the Planner has been convicted of a "serious crime" ... whether the conviction resulted from a plea of guilty or nolo contendere" [i.e., no contest].

Ms. Blackshear was inducted into the College of Fellows of the American Institute of Certified Planners in 2012. Her FAICP certification also was revoked by the Ethics Committee. Ms. Blackshear will be eligible to request to have her certifications reinstated in August 2022.

This was the first instance of the revocation of an AICP certification in more than a decade.
Advisory Opinions (Section C of Code)

- Advisory Opinions from Ethics Officer (formal and informal)
ADVISORY OPINIONS (SECTION C OF CODE)

• Formal Opinions are reported each year to the Ethics Committee and AICP Commission in an Annual Report.
4. We shall not, as salaried employees, undertake other employment in planning or a related profession, whether or not for pay, without having made full written disclosure to the employer who furnishes our salary and having received subsequent written permission to undertake additional employment, unless our employer has a written policy which expressly dispenses with a need to obtain such consent.

PLANNING CONSULTANT’S CERTIFICATION SUSPENDED

The AICP certification of Debbie Love, a planner based in Fort Lauderdale, Florida, was suspended in December 2017, following a settlement agreement with the AICP Ethics Officer regarding a charge of ethical misconduct that had been filed against her by a former employer.

The one-year suspension relates to violations of Rules of Conduct #4 and #6 in the AICP Code of Ethics and Professional Conduct.

According to the settlement agreement, Ms. Love failed to make written disclosure to her fulltime employer, a private consulting firm, that she was involved with another consulting firm at the time (Rule #4). During this same period, Ms. Love also approved sub-consultant agreements from her then-employer to two other firms, including one where she had an ownership interest and one that was owned by a relative (Rule #6).

Due to the severity of the violations, the Ethics Committee decided to publish this case, including the name of the planner, for the attention of membership.

6. We shall not perform work on a project for a client or employer if, in addition to the agreed upon compensation from our client or employer, there is a possibility for direct personal or financial gain to us, our family members, or persons living in our household, unless our client or employer, after full written disclosure from us, consents in writing to the arrangement.

Any person, whether or not an AICP member, may file an ethics complaint against a Certified Planner.
SAMPLE QUESTION

- Each of the following may constitute a conflict of interest for a public planner under the AICP Code of Ethics EXCEPT:
  - Accepting a gift from a local building firm
  - Working for a developer who has an action before the Planning Board
  - Applying for a Health Department permit to operate a stall at the Farmers’ Market
  - Processing a rezoning application for property the public planner owns
You are the planning director in a small town. Your husband runs the local country club and is applying for construction of a new swimming pool. This application will be reviewed by the planning commission for approval. What will you do?

- Invite the planning commission to the country club to see exactly where the pool will be built
- Ask your husband to offer complimentary memberships to all commissioners
- Inform the commission about your connection to the situation and remove yourself from the review process
- Write an extensive staff report about the benefits of the pool for the community