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Ethics Codes: Not Just for Planners

LET'S SAY YOU HAVE JUST BEEN appointed to serve on your local planning commission. You have had your briefings, along with an orientation to the tasks ahead, and you are developing a trusting relationship with your planning staff. Your orientation likely included a section on ethics, targeted to your unique role in making decisions with financial, legal, and ethical impacts. In addition to local and state laws that govern your conduct, you should have learned about the ethical standards set by the American Institute of Planning's Code of Ethics and Professional Conduct. You should also be aware that the American Planning Association publishes an advisory set of standards for lay planners and non-AICP members, known as the Ethical Principles in Planning.

What you may be unfamiliar with are the ethical commitments of related professionals—the engineers, architects, landscape architects, economic development professionals, and city managers that you encounter at public meetings. Do they abide by the same standards as you and your planning colleagues?

Those questions are currently being asked by Bonnie Johnson, AICP, associate professor of urban planning at the University of Kansas. Her past research has focused on analyzing the differences between the ethical codes that govern planners and those that apply to city managers. "You can learn a lot about how a profession views the world by studying its code of ethics," she says.

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City managers aren't the only players who regularly interact with planners and planning commissioners and who influence how they do their jobs. Every project considered by a planning commission brings with it a distinct cast of characters from both the public and private sectors—architects, engineers, urban designers, redevelopment and housing officials, and social workers to name a few.

Codes 'not all the same'

Each profession has its own code prescribing the ethical standards that are appropriate for its practitioners. No two codes, it turns out, are the same. That's why Johnson's research is so important. By analyzing the nuances that separate city planning and city management, planning commission members get a clearer sense of how those professionals see their roles in the planning process.

The assumption, she says, is that bringing city managers and planners together leads to better decisions. "But this does not happen automatically. It requires work," she says.

As part of her research, Johnson is comparing the codes of ethics of 11 professional organizations involved in the planning process. She has set out to find where similarities begin and end, and how differences in these organizations' ethical perspectives play out in different communities.

"We're particularly interested in identifying unique innovations or new approaches to ethical behavior that might have value for those of us in planning," says Johnson. "An important aspect in this process is identifying what we, as interconnected professions, can learn from each other."

Johnson has selected a series of contemporary issues to define the ways in which various professions respond: cultural competency; conflicts of interest; technology; public, private, and nonprofit work; and sexual harassment.

A major question is how transparent, accessible, and understandable each of these ethics codes is—not only for an organization's members but also for the general public. As part of her research, Johnson considers how each organization disseminates its code, whether sample ethical scenarios and training aids are readily available, and how easy it is to secure guidance from ethics staff at each organization.

Observations to date

While Johnson and her colleagues are continuing to seek answers to these questions, certain themes emerge. The first is that ethics codes are not static, although change is often slow. While many of the issues explored (cultural competency, for example) have not yet emerged in many of these ethics codes, other issues such as discrimination and sexual harassment are gradually making their way into them.

Second, codes in largely private-sector professions—e.g., architecture and landscape architecture—have significantly different approaches than those in largely public city planning and city management. Private-sector codes tend to focus on protecting the client's interest, while publicly oriented codes often place a greater emphasis on the "public good." Neither approach is wrong, but it does suggest that it is helpful for planning commission members to understand the perspectives of other professions.

Third, certain ethics codes emphasize issues that may be of specific concern to their practitioners. For example, because of the size and value of public works contracts, the American Society of Civil Engineers focuses on preventing corruption. Other professions emphasize the need to protect private work documents in competitive proposal processes.

Finally, the researchers are finding a wide variation in how transparent these organizations are with respect to reporting ethics violations and taking action. The National Association of Housing and Redevelopment Officials, for example, has posted a three-year rolling report on violations, while some other websites contain no specific data to demonstrate that violations are being enforced.

AICP has come out rather well in the study, in part because of ongoing enhancements made to APA's ethics program in recent years. Members (including planning commissioners) can analyze data from AICP's ethics enforcement processes on the website—updated annually and sorted by geography. An increased number of training programs, "ethics case of the year" presentations, and other features also provide useful guidance.

What it means for you

Practitioners and commissioners should find it useful to learn about the ethical commitments that participants in the planning process are expected to observe. The bad news: Not all professions that you deal with are held to the same standards.

For that reason, both planning practitioners and commissioners must remain alert to potential conflicts of interest or violations of ethics codes or laws. It is up to you to bring these matters to the attention of appropriate staff. Remember that our ethics code—and those of other organizations—are designed not only to enforce standards of behavior but to protect the reputation of the profession itself.

Certainly, it helps to know that most of the professional disciplines related to planning have their own codes of ethics. Even if those codes differ from your own, they are still enforceable, and knowing something about them may help you identify questionable behavior.

Always keep in mind that there is a difference between ethics and law. Perfectly lawful behavior may not be ethical, and behavior that is ethical may not always conform to what is permitted by law. Always turn to your trusted advisors to discuss ethical concerns.

Finally, contact AICP's ethics officer if you have any sort of question about ethics pertaining to members of AICP or within the profession generally. You can find more on the ethics page of the APA website at planning.org/ethics. ■

—Steven A. Preston, FAICP
Preston is the retired city manager of San Gabriel, California, and a participant in the research effort described in this article.

OBSERVATIONS ON ALLIED CODES OF ETHICS

As part of ongoing research seeking to gauge how the ethical standards of professions that intersect with planning impact communities, researcher Bonnie Johnson, AICP, has analyzed the codes of 10 organizations, in addition to AICP. The table below outlines key differences.

ORGANIZATION	UNIQUE OR INTERESTING FEATURES OF CODE OF ETHICS
American Institute of Architects (AIA) bit.ly/aia-ethics	Commentary to help members understand ethical standards References concerning Obligations to the Environment Information regarding pro bono work Commitments to environmental equity and justice Urges provision of "equitable work environment"
American Society for Public Administration (ASPA) bit.ly/aspa-ethics	*Implementing the Code of Ethics: Workbook and Assessment Guide* Eight principles Seeks to "promote affirmative action and other initiatives to reduce unfairness, injustice, and inequality in society"
American Society of Civil Engineers (ASCE) asce.org/code-of-ethics	Greatest variety of ethics content among organizations studied Interactive ethics page "Order of the Engineer" provides opportunity to commit to ethical behavior "A Question of Ethics"—regular column Ethics Hotline YouTube videos, training aids
American Society of Landscape Architects (ASLA) bit.ly/asla-ethics	Structure not user-friendly Focused on private practice Guidance and enforcement protocols embedded in ethics policies Separate Code of Environmental Ethics available on the website but not enforceable in same manner as the code of ethics
Institute of Transportation Engineers (ITE) bit.ly/ite-ethics	Principles to "Support a Sustainable Society" Adverse consequences Professional development for employees Political contributions
International Association of Emergency Managers (IAEM) iaem.org/CEM-Code-of-Ethics	When they don't take your advice—put it in writing "Quality may be assessed by audits, monitoring, quality processes, or other appropriate means"
International City and County Management Association (ICMA) icma.org/icma-code-ethics	29 scenario categories Ethics 101 E-Course Blog post: "Ethics on the International Stage: ICMA is Not Alone" Violations made public
International Economic Development Council (IEDC) bit.ly/iedc-ethics	Board membership—private and public sector 12 principles Warning against exploiting areas impacted by natural disasters
National Association of Housing and Redevelopment Officials (NAHRO) nahro.org/code-of-prof-conduct	Short, not fully developed Minimal information Three-year history of violations reported
National Association of Social Workers (NASW) bit.ly/nasw-codeofethics	Do not exploit others to further "personal, religious, political, or business interests" "Technology-assisted social work services" Need to "assess cultural, environmental, economic, mental or physical ability, linguistic, and other issues" Code designed to "ensure that employers are aware of social workers' ethical obligations"

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Graduate Students Seek Solutions to Big Problems

WHEN AN ISSUE is as complicated and challenging as climate change, it's hard to know where to begin. Last fall, a group of 10 graduate students participating in the eighth annual RDG Design Residency proposed starting with an unlikely group: schoolchildren.

The three-day, charrette-style event, hosted by RDG Planning and Design in Des Moines, Iowa, typically gathers top graduate students from various fields to address complex community problems under the guidance of experienced planners and designers.

The graduate students synthesized a day's worth of information into a problem statement. The next two days involved researching and compiling the information into a final product to present to the public.

The 2018 panel included students from Harvard, MIT, Stanford, Iowa State, the University of South Florida, and the University of Iowa. Thirteen nationally known experts, including a Federal Emergency Management Agency advisor and program director, city engineers, and city managers—and a co-winner of the 2007 Nobel Peace Prize—worked with the students to figure out ways to make communities more capable of dealing with climate change.

Facing such a complex topic, the students realized that design and engineering solutions could only go so far. Their approach was to focus on educating the next generation of leaders.

The first step was to develop a communications platform that began as early as the third grade, where students were just beginning to learn about climate change. The curriculum is intended to appeal to older children as well.

Learning through play

A particularly interesting product of the design residency is the graduate students' work on a prototype for a climate change board game. SHOCK! is intended to make learning about resiliency both informative and fun. The game explores the impacts of floods and droughts on parks, farmland, suburbs, and downtowns. Each playing card illustrates an impact; information on the back of the card tells players where they can learn more. Drake University in Des Moines is interested in using the game as part of its environmental law curriculum.

Innovative projects and working together across disciplines as RDG's student residents do each year offer hope for meeting the challenges of climate change. Including schoolchildren in the dialogue is truly a forward-looking approach. ■

—Stephanie Rouse, AICP
Rouse is an urban planner with RDG in Omaha. For a more on the Design Residency go to rdgusa.com/designresidency.

CHANGE AFOOT TO DISASTER RECOVERY LAW

Local officials—including planning commissioners—whose work is potentially affected by natural disasters should pay attention to some remarkable changes to federal disaster recovery programs enacted by Congress last year in the Disaster Recovery Reform Act, an amendment to the 1988 Stafford Act, and signed into law by President Donald Trump.

How will this affect you?

First, the new law includes two sections that expand the Federal Emergency Management Agency's authority. FEMA can now provide hazard mitigation grants in areas that receive Fire Management Assistance Grants as a result of wildfires. The agency can provide funding under both the Hazard Mitigation Grant Program and Pre-Disaster Mitigation to assist in wildfire and windstorm mitigation projects. One example would be reseeding damaged groundcover with native species.

The second change authorizes FEMA to help state and local governments administer and enforce building code and floodplain management ordinances, which studies have shown are important to enhance resilience against hazards. FEMA will also work with the U.S. Department of Transportation to aid in identifying evacuation routes for future disasters.

Finally, and perhaps most importantly, the law provides a steady stream of annual funding for pre-disaster mitigation that no longer depends on congressional appropriations, instead tying it to a six-percent set-aside through the Disaster Relief Fund. This provision will give FEMA a dependable source of funding from year to year. The money may be used for a competitive grant program to support local hazard mitigation efforts before, instead of after, natural disasters.

While FEMA has not yet finalized its plans, it has already proposed a new program, Building Resilient Infrastructure and Communities, or BRIC. The final rules are likely to make hundreds of millions of dollars available annually for hazard mitigation projects, which means the spigot for local grant funding will be much larger. That provides an opportunity for planning commissioners to think about new ways that the planning departments and city councils they advise can advance mitigation goals that may otherwise be out of reach, which is particularly important when it comes to vital infrastructure improvements that support a safer and more resilient community. ■

—James C. Schwab, FAICP
Schwab is a planning consultant based in Chicago. He is chair-elect of APA's Hazard Mitigation and Disaster Recovery Division.