2026 AICP Exam Preparation Class

ETHICS and the AICP Exam

Ralph Willmer, FAICP
Ethics Officer
American Planning Association

Today's Discussion

I. Why Talk About Ethics?

II. Ethics Codes

III. AICP Code of Ethics

IV. Format of Ethics Questions

V. Scenario Discussions

VI. Resources

Ethics

- *Ethics is a system or code of morals of a particular person, group or profession."*
  - Webster's
- "*Always do right. This will gratify some people and astonish the rest.*"
  - Mark Twain
- "*Ethics are what you have when no one is looking."*
  - Unknown

I. Why Talk About Ethics?

- Citizen expectations – planners have the ability to elevate governance
- Codes in place for planners since 1959 – long history and experience with ethics
- AICP planners must practice in accordance the AICP's Code of Ethics and Professional Conduct
- Current code adopted November 2021 effective January 1, 2022

I. Why Talk About Ethics?

- Planners guided by both existing local, and sometimes state, ethics provisions
- Rarely "cut and dry" and often contain a high level of nuance
- When none exist, must exercise common sense (aspirational principles)

I. Why Talk About Ethics?

- Truth
- Honesty

II. Ethics Codes

State ethics code

MA: https://www.mass.gov/learn-more-about-the-conflict-of-interest-law

Canadian Institute of Planners

CIP Statement of Values & Code of Professional Conduct:

- the planners' responsibility to the public interest;
- the planners' responsibility to clients and employers; and
- the planners' responsibility to the profession.

Ethical Principles in Planning Guide (1992)

*AICP Code of Ethics

http://www.planning.org/ethics/

AICP's Code of Ethics (10%)

Adopted in 1948 by the American Institute of Planners; rev. 1959, 1970, 1978, 1991, 2005, 2016, and 2021

A. Aspirational Principles

Responsibility to the Public, Clients/Employees, and Profession/Colleagues

B. Rules of Conduct

Twenty-four rules to which AICP members are held accountable

C. Advisory Opinions

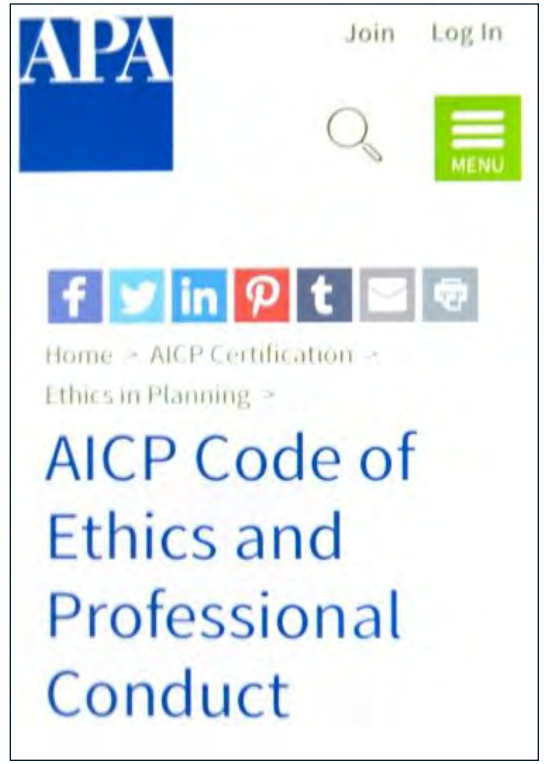
Informal Advice, Formal Advisory Opinions, Annual Report

D. Complaints of Misconduct

Filings, Preliminary Charge/Dismissal, Settlement, Decision, Appeal

E. Discipline of Members

Confidential Letter, Public Letter, Suspension, Revocation



When in conflict, the RULES rule!

A. Principles to Which We Aspire

1. Responsibility to the public

- Serve the public interest
- Be conscious of the rights of others
- Have a special concern for the long-range consequences
- Pay attention to the interrelatedness of decisions
- Provide opportunities for meaningful impact
- Seek social equity
- Analyze ethical issues in planning practice

A. Principles to Which We Aspire

2. Participate in planning process with integrity

- Provide timely, adequate, clear, accessible, and accurate information
- Facilitate the exchange of ideas and ensure that people have the opportunity for participation
- Promote excellence in design
- Identify the human and environmental consequences of actions
- Enhance our professional education and training
- Educate and seek to empower the public
- Describe the work and views of other professionals in a fair and professional manner
- Respect the rights of all persons and do not discriminate against or harass others

A. Principles to Which We Aspire

3. Work to achieve economic, social and racial equity

- Create plans that ensure equitable access to resources and opportunities
- Expand choice and opportunity for all persons
- Mitigate impacts of plans and procedures resulting in patterns of discrimination, displacement, or environmental injustice
- Promote the inherent rights of indigenous people

A. Principles to Which We Aspire

4. Safeguard the public trust

- Deal fairly with all participants in the planning process
- Exercise fair, honest, skilled, informed and independent professional judgment
- Avoid being be influenced by personal relationships
- Ensure that you advocate objectives are legal and consistent with the public interest
- Avoid conflict of interest
- Disclose to the public all personal and pecuniary interests
- Do not accept gifts or favors that were intended to influence one's objectivity
- Be prepared to render thorough and diligent services
- Do not deliberately commit a wrongful act
- Do not seek business by stating or implying the ability or willingness to influence decisions
- Expose corruption

A. Principles to Which We Aspire

5. Improve planning knowledge and public understanding

- Improve knowledge and techniques, and share the results of experience and research
- Examine the applicability of planning methods and standards to the facts and analysis of each situation
- Achieve high standards of professionalism
- Expand recognition of the value of AICP and FAICP credentials
- Commit to the advancement of the planning profession
- Contribute time and effort to our communities

B. Rules of Conduct

- 24 Rules of Conduct—to which certified planners can be held accountable—have been revised (down from 26 Rules) and reorganized under these headings
  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 and Cooperating with an Ethics Charge

B. Rules of Conduct

Quality and Integrity of Practice

1. We shall not deliberately fail to provide adequate, timely, clear and accurate information

2. We shall not accept an assignment that we know to be illegal or in violation of this Code

3. We shall not accept work beyond our professional competence

4. We shall not accept work that we know cannot be performed on a timely basis

5. We shall not direct other professionals to reach findings not supported by available evidence

6. We shall not deliberately commit any wrongful act

B. Rules of Conduct

Conflict of Interest

7. We shall not accept from anyone other than our public employer any compensation, commission, rebate, or other advantage that may be perceived as related to our public office

8. We shall not perform work on a project for a client or employer if there is a possibility for direct personal or financial gain to us, our family members, or persons living in our household, unless: a) our client or employer, after full prior written disclosure from us, consents and b) we make full disclosure of the potential conflict part on the public record

B. Rules of Conduct

Improper Influence/Abuse of Position

9. As public officials or public employees, we shall not engage in private communications with planning process participants

10. We shall not engage in private communications with decision makers in the planning process

11. We shall not solicit prospective clients or employment through use of false or misleading claims, nor shall we imply an ability to improperly influence decisions

12. We shall not use the power of any office to seek or obtain a special advantage

B. Rules of Conduct

Honesty and Fair Dealing

13. We shall not disclose or use to our advantage information gained in a professional relationship that the client or employer has requested be held confidential except when disclosure is required: (1) by law, or (2) to prevent a violation of law, or (3) to prevent injury to the public

14. We shall not deliberately misrepresent the qualifications, views and findings of other professionals

15. We shall not misstate our education, experience, or training relevant to our professional qualifications

16. We shall not use the product of others to seek professional recognition or credit

17. We shall not fail to disclose the interests of our client or employer when participating in the planning process

B. Rules of Conduct

Responsibility to Employer

18. We shall not undertake other employment in planning or a related profession, whether or not for financial remuneration, without having made full written disclosure to our employer. Do not engage in any outside work that would create an actual conflict of interest.

19. We shall not accept an assignment from a client or employer to publicly advocate a position on a planning issue that is significantly different to a position we publicly advocated for a previous client or employer within the past three years unless (1) we determine in good faith our change of position will not cause present detriment to our previous client or employer, and (2) we make full written disclosure of the conflict to our previous and current client or employer

B. Rules of Conduct

Discrimination/Harassment

20. We shall not commit or ignore an act of discrimination or harassment.

Bringing a Charge/Lack of Cooperation with Ethics Officer

21. We shall not withhold cooperation or information from the AICP Ethics Officer if a charge of ethical misconduct has been filed against us or we have information/knowledge relevant to a charge

22. We shall not harass, retaliate or threaten retaliation against a person who has filed a charge of ethical misconduct against us or another planner, or who is cooperating in the investigation

23. We shall not use the AICP ethics process for any inappropriate purpose, including threatening to file, or filing an ethics charge against another planner for personal, pecuniary, or professional gain or filing of a meritless complaint against another planner

24. We shall not fail to immediately notify the Ethics Officer if we are convicted of a "serious crime"; nor immediately following such conviction shall we represent ourselves as AICP until our membership is reinstated by the AICP Ethics Committee

C. Advisory Opinions

- Procedural part of Code including:
  - Obtaining informal advice
  - Formal advisory opinions requested by member
  - Formal advisory opinions without request of a member
  - Annual Report of Ethics Officer

C. Advisory Opinions

- Informal Advice
  - Ethics Officer - informal advice (Ralph Willmer)
  - Oral advice (not written but record kept)
  - Non-binding on AICP

- Formal Advisory Opinions
  - AICP members only
  - Written request to Ethics Officer
  - Formal advice from Ethics Committee
  - 90 day written response
  - Publication of Formal Advisory Opinions

https://www.planning.org/ethics/

C. Advisory Opinions

- Formal Advisory Opinions w/o Request
  - Committee can issue formal advice for guidance
  - Publication of Formal Advisory Opinions

- Annual Report of Ethics Officer
  - Each year prior to 1/31
  - To AICP Commission & Ethics Committee
  - All Formal Advisory Opinions and interpretations of Code

https://www.planning.org/ethics/

Requests for Informal Advice in 2024

https://www.planning.org/ethics/report/

D. Adjudication of Complaints of Misconduct

1. Filing a Complaint – form on AICP website. https://www.planning.org/ethics/#Actions
   - Anyone can file a complaint; can request confidentiality
   - ID who complaint is against, conduct and code
   - Any relevant documentation – Ethics Officer (EO) can request more
   - EO maintains log
2. Preliminary Review
   - Preliminary determination by EO within 30 days after receiving all relevant information
   - If no violation, complaint is dismissed (20-day appeal for complainant if an AICP member)
   - If violation may have occurred, letter to planner (respondent) within 30 days and respondent is asked to submit a response

D. Adjudication of Complaints of Misconduct

3. Fact Gathering – respondent has 30 days to respond to EO and provides response to complainant in 14 days with opportunity for complainant to respond

4. Exploration of Settlement – EO can consult with Ethics Committee (EC) on a settlement option to be approved by EC.

D. Adjudication of Complaints of Misconduct

5. Decision – EO issues written decision. EO options:
   - Dismissal based on evidence or lack thereof
   - Discipline (confidential letter of admonition, public letter, suspension of AICP membership or revocation of AICP membership)
   - Decisions reported to EC (EO can decide not to disclose remedy to complainant)

D. Adjudication of Complaints of Misconduct

6. Appeal – 30 days (respondent or complainant – must be AICP) to Ethics Committee
   - EC issues written decision (may consult with EO or hold a hearing)
   - EC Decision options:
     - affirm EO decision as is or modify;
     - vacate EO decision - return back to EO for further investigation;
     - vacate EO decision and issue its own

D. Adjudication of Complaints of Misconduct

7. Effect of Dropping Charges or Resignation –
   - EC can drop case or continue process without complainant
   - EC can choose to file complaint with law enforcement
8. Reporting –
   - Any decision of EC may be published.
   - Written decisions of EO summarized in Annual Report

E. Discipline of Members

Duty to Notify the Ethics Officer – if convicted of a serious crime or any state or gov't license is revoked, suspended or restricted

Publication of Any Disciplinary Actions – (EC option) member name and disciplinary action imposed

AICP Reinstatement Petition – to EC (after 5 yrs.)

IV. Format of Exam Ethics Questions:

- Situational-type questions:

"You are the planner for a medium sized city and you have a…"

- Direct questions about the content of the Code of Ethics.

- Code procedural questions

Make sure you fully understand the context, facts and circumstances prior to answering!

Example Exam Question (1):

Each of the following may constitute a conflict of interest for a public planner under the AICP Code of Ethics EXCEPT:

A. Accepting a gift from a local building firm.
B. Working for a developer who has an action before the Planning Board.
C. Applying for a Health Department permit to operate a stall at the Farmers' Market.
D. Processing a rezoning application for property the public planner owns.

Example Exam Question (2):

A private sector planner is preparing a site plan. He intends to secure local government approval for his client's development project since it could lead to additional work for him in the subsequent phases of the project. According to the AICP Code of Ethics:

A. This constitutes a conflict of interest
B. There is no conflict of interest in this case.
C. The Code has no provision for conflict of interest.
D. There is a conflict of interest only if the planner holds a law degree

Example Exam Question (3):

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?

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

Example Exam Question (4):

According to the Code of Procedures of the AICP Code of Ethics and Professional Conduct, an AICP member charged with ethics misconduct is subject to the final determination of:

A. The Ethics Officer
B. The Executive Committee of AICP
C. The Executive Director of AICP
D. The AICP Ethics Committee

Example Exam Question (5):

Which of the principles of the AICP Code of Ethics and Professional Conduct are applicable to instances of sexual harassment?

I) A planner must not commit a deliberately wrongful act, which reflects adversely on the planner's professional fitness.

II) A planner must respect the rights of others and, must not improperly discriminate against persons.

III) A planner must have special concern for the long-range consequences of present planning actions.

A. I and II
B. I, II, and III
C. I and III
D. II and III

Example Exam Question (6):

You overhear your supervisor in a conversation that he/she may limit the number of options on a project before it gets to a public hearing. Which of the following actions is most appropriate?

A. Report your supervisor to the Ethics Officer for a violation of public interest.
B. Find out more about the conversation and why the number of options may be limited.
C. In your report to Council, indicate that the number of options maybe limited.
D. Tell your supervisor not to limit the options before the project gets to a public hearing.

V. Study Approach

SCENARIOS

(refer to your copy of the Code when reviewing)

Scenario 1: Negative Comments about Consultant Work

How do you make sure that you don't pass on gossip, but do respond to legitimate issues affecting the expenditure of public dollars?

A. The references are fine, so there is no problem.
B. Ask the firm directly about the allegations made.
C. Do additional research - check with names not on the list provided by the firm.
D. Eliminate the firm from consideration to avoid potential issues.

Scenario 1: *Ethical Issues*

Principle 2.1) Provide … accurate information on planning issues … to governmental bodies … and to decision makers.

Principle 4.2) Exercise, fair, honest … independent professional judgment.

Rule 14) We shall not deliberately misrepresent the qualifications … of other professionals.

Scenario 2:

"My City Manager told me to do it"

Scenario 2:

If what the City Manager is asking you to do is in violation of the Code, which section would likely apply:

A. Rule 2: Accepting work in violation of rules
B. Rule 5: Do not direct other professionals to reach unsupported findings
C. Rule 6: Deliberately commit a wrongful act
D. Rule 12: Abuse of power

Scenario 2:

"Following orders" not an excuse if orders violate the Code of Ethics and Professional Conduct.

Advise manager of the conflict; discuss the Code and possible consequences for you of such an action.

Discuss alternatives; situations might be complex so try to work it out.

Resignation as a last resort.

Scenario 3:

You are the city planning director appointed by the mayor. The mayor owns a skybox at the hockey arena from his prior career in the private sector. He invites you and your wife to a game. Accept or not? The stadium is partially financed by the city.

A. Yes
B. No
C. Not sure

Scenario 3:

Rule #7 (conflict of interest) might apply – but it's your employer – so enjoy the game. May be helpful to encourage the mayor to invite other staff (planners and non-planners) so that perception of favoritism could be minimized.

Scenario 3:

What if it’s the Skybox is owned by the local University and they offer you tickets?

A. Yes
B. No
C. Not sure

Scenario 3:

Rule #7: Compensation from other than employer. University may come to you for permits.

Rule #9: Could create an atmosphere that may allow certain conversations to occur that would not be privy to those who may have other views on university issues.

Keep things at arm's length or longer!

Scenario 4: Personal Property (2020 AICP Ethics case of the year)

Norman, AICP, a staff planner with Costaville, is working on a rezoning proposal for a transit-oriented development (TOD) corridor, in accordance with a new subarea plan.

A member of the public tells Norman he has a conflict of interest since he lives two blocks from the TOD corridor—and the rezoning could increase the value of his own house.

mapei

Scenario 4 (contd.)

Norman asks his supervisor, Lucio, AICP, if another staff planner could work on the project, given the proximity of the proposed TOD district to Norman's house.

Lucio tells Norman that, due to staff constraints, he needs to work on the project. But, he says, Norman should disclose this potential conflict of interest at all public meetings.

Ryan Scherzinger, AICP; APA Image Library

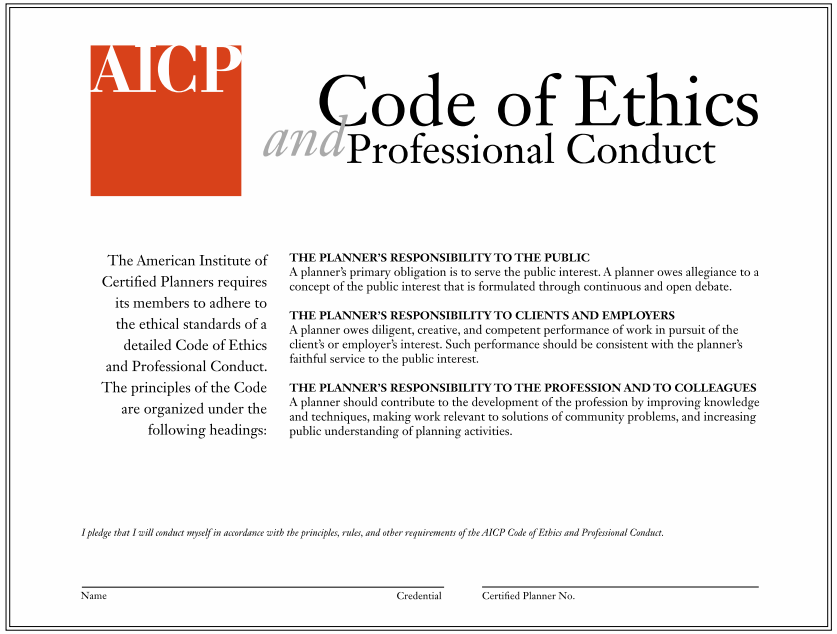
Scenario 4

Questions

Q 4.1:

Have both planners behaved in accordance with the *AICP Ethics Code*?

a) Yes
b) No
c) Not sure



AICP 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. _____

Scenario 4

Questions (contd.)

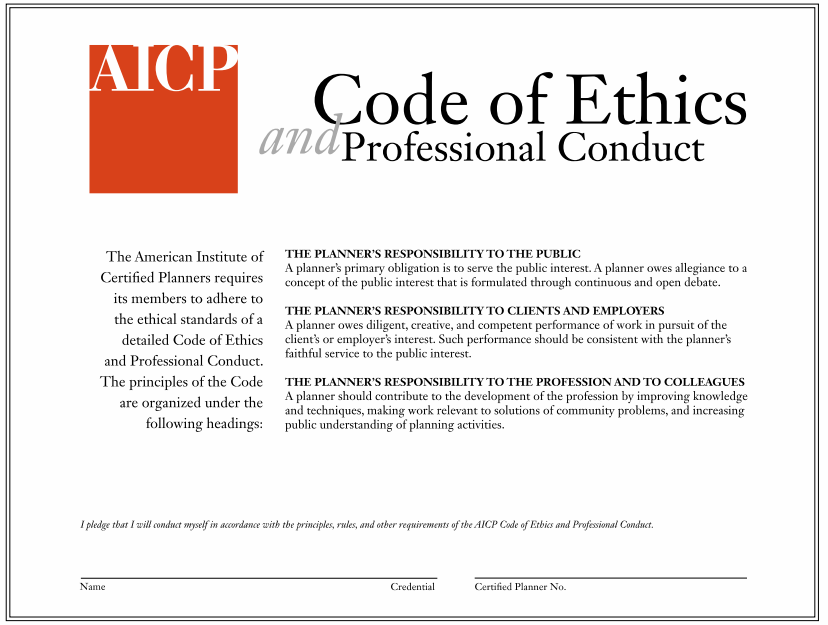
Q 4.2:

Do you agree with the decision of Lucio, Norman's supervisor?

a) Yes

b) No

c) Not sure



AICP 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.

Scenario 4

Ethical Issues

AICP Ethics Code "Aspirational Principles"

4.5: We shall avoid a conflict of interest or even the appearance of a conflict of interest in accepting assignments from clients or employers.

AICP Ethics Code "Rules of Conduct"

#8: We shall not perform work on a project if…there is a possibility for direct personal or financial gain to us…unless our client or employer, after full written disclosure from us, consents in writing to the arrangement.

#12: We shall not use the power of any office to seek or obtain a special advantage that is not a matter of public knowledge or is not in the public interest.

Scenario 4

Outcomes

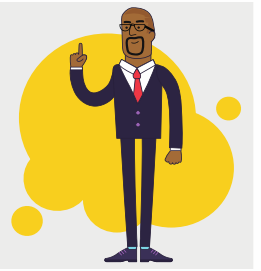
In the real-life case on which this scenario was based:

After being charged with misconduct—based on a complaint by a resident—Norman provided evidence to the Ethics Officer that he had, in advance, notified his supervisor, Lucio, of the potential conflict of interest. Lucio then had told him to:

1) continue to work on the project, and;

2) fully disclose his ownership interests at all public meetings.

Subsequently, the misconduct charge was dismissed.



Norman

Lucio

Scenario 5:

Is it unethical, as a regulatory planner, to socialize with your paid consultants as peers? They may buy drinks or dinner, but you also sometime buy. Is the perception bad? Is there any conflict?

Scenario 5:

Rule #7 – accepting compensation or other advantage from anyone other than employer
Rule #9 – private discussions with decision makers

Be aware of both circumstances and perceptions.

Pay your own way

Following best practices for fair treatment. RFP may stipulate that questions be submitted in writing and distribute all Q&A to all consultants who responded to the RFP.

Smell test – think about how this could be perceived by a member of the public or other consultants.

Scenario 6:

A consultant is working for a public agency. The consulting firm's accounting system is set up to charge a maximum of 40 hours per week. The project consistently takes the consultant 60 hours a week. Therefore, the consultant is basically donating (giving) that public agency 20 hours per week of time on their project. Is this fully ethical? Does this give the consultant an advantage in the future over others in the selection process?

Scenario 6:

Aspirational Principle 5.6 (improve planning knowledge): " Contribute time and effort to our communities, particularly to those groups lacking in adequate planning resources, through pro bono planning activities."

A consultant 'donating' time to a public agency is not only ethical but also encouraged.

Responsibility to the public

FIRST and FOREMOST

VI. Resources

APA Ethics Resources:
https://www.planning.org/ethics/

- Ethical Principles in Planning (Guide for all)
- AICP Code of Ethics
- Actions Regarding Ethical Conduct (file complaint, annual report)
- Case of the Year (great scenarios to review)
- Ethics Blog Posts (specific examples applying the Code)

AICP Certification (Exam Prep Info and Overview):

Ethics Exam Prep – You Tube:
https://www.youtube.com/watch?v=KJRZE0nm6LY

Ethics Case of the Year (2020) – Ohio Chapter APA:
https://www.youtube.com/watch?v=ohJx2xyWwPE

-

VI. Resources

Ethical guidance for tough decisions:
https://www.planning.org/careercenter/idealistblog/
(advice for new planners)

Barrett, Carol D. 2001. *Everyday Ethics for Practicing Planners*. Washington, D.C.: American Institute of Certified Planners.

Marcuse, P. 1976. "Professional Ethics Beyond Values in Planning." *Journal of the American Institute of Planners* 42: 264-294.

GOOD LUCK!

QUESTIONS?

Ralph Willmer, FAICP

ralphwillmer.apa@gmail.com