

IMPLEMENTING THE ASPA CODE OF ETHICS: Workbook and Assessment Guide

American Society for Public Administration

Ethics and Standards Implementation Committee

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IMPLEMENTING THE ASPA CODE OF ETHICS: WORKBOOK AND ASSESSMENT GUIDE*

The American Society for Public Administration Code of Ethics is a statement of the standards and expectations of public servants.¹ This guide is intended to help public administrators put these professional standards into practice through examining the meaning of the Code and encouraging assessment of their own knowledge and behavior. When individuals choose to join ASPA, they agree to uphold the professional standards that ASPA has developed to ground the conduct of administrators in public service values. These expectations are challenging, and they call on administrators to make ethics a central element in all aspects of their work. Although sometimes ethical principles are viewed as “higher standards” to which individuals should aspire, i.e., an “aspirational code,” the ethical commitments of a profession express the expectations that apply to all members and are upheld by the profession itself. The ASPA Code expresses the shared principles and standards that public servants should uphold as members of the profession. ASPA is committed to promoting these standards, helping its members understand the code and resolve ethical problems, and holding its members accountable for meeting the standards. In addition, ASPA and its members seek to increase awareness and commitment to ethical principles and standards among all those who work in public service in all sectors.

The professional responsibilities of ASPA members are expressed in eight **principles**. For each, more specific **practices** provide guidance for how to translate the broad principles into action. The discussion is divided into eight sections corresponding to the ethical principles. First the principle is stated and explained. The practices are integrated into the discussion in *italics*. In addition, the discussion of each principle offers examples of unethical and ethical behavior along with questions for reflection. These features are intended to help the readers understand the ASPA Code and determine their ethical responsibilities in general and in their own position and organizational setting. ASPA is committed to providing assistance through this Guide and other educational efforts. The Ethics and Standards Implementation Committee of ASPA answers questions from members and examines complaints that members may have taken actions that do not comply with the Code.² If appropriate, the Ethics Committee will offer advice to the member about actions that the member could take to uphold the Code. As stated in the first

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¹ The Code of Ethics and the Statement of Practices were approved by the ASPA National Council March 16, 2013. The current and previous codes are available on the ASPA ethics webpage at www.aspanet.org/CodeofEthics.

² Information about the Committee is available on the ASPA ethics webpage at www.aspanet.org/CodeofEthics and the review process is discussed starting on page 24 of the Guide.

Workbook for Public Administrators prepared by ASPA in 1979, the “ultimate responsibility for applying standards and ethics still falls upon the individual.”³

This guide carries on the tradition of the handbooks and includes some material from the 1998 edition.⁴ It is designed to help members assess their understanding of the Code by reflecting on questions that examine what the code means and how to apply it in the setting where they work or would like to work in the future. In addition, personal assessment questions have been added at the end of each of the eight sections to identify the need for additional knowledge, challenges and potential risks faced, and the opportunities to broaden ethical contributions. For each principle, you are asked to consider how you can increase your ethical *competence*⁵, how you can offset *constraints and challenges* that limit your ethical behavior, and how you can expand your *commitment* to be an ethical public servant. You may compile the answers to the self-assessment at the end of the Guide. From this list that you have developed, you are asked to identify overall priorities for change and to develop an action plan.

Ethics laws and organizational standards often place primary emphasis on preventing conduct that violates the Code of Ethics, such as using one’s position for personal gain. In addition, it is important to recognize that failure to accept responsibility and do what is right is also an ethical shortcoming. ASPA’s sourcebook of readings on public administration ethics published in 1990 stressed the dual goal of “Combating Corruption” and “Encouraging Ethics.”⁶ This Guide builds on that approach. It is designed to help administrators identify ways to reduce bad behavior—both violations of the Code and failures to meet the standards of the Code—as well as ways to promote good behavior. Putting the Code of Ethics into action requires both avoiding practices that are unethical and also promoting positive ethical practices.

Although the discussion is organized by the separate principles, the principles and practices are intended to be used as a whole and in conjunction with one another. An ethical public servant will consider the full range of standards in the Code that are relevant to handling a specific matter when deciding what action to take.

³ Edward Mertins, Jr., Editor, *Professional Standards and Ethics: A Workbook for Public Administrators*. American Society for Public Administration, 1979, 1.

⁴ Later editions of the Handbook were published in 1982, *Applying Professional Standards and Ethics in the 1980s* edited by Mertins and Patrick Hennigan, and 1998, *Applying Ethical Standards in the 21st Century* edited by Mertins, Frances Burke, Robert W. Kweit, Gerald M. Pops.

⁵ Cooper, Terry L. and Donald Menzel, editors, 2013. *Achieving Ethical Competence for Public Service Leadership*. Armonk, NY: M.E. Sharpe.

⁶ William L. Richter, Frances Burke, and Jameson W. Doig, Editors, *Combating Corruption/Encouraging Ethics* (Washington, DC: ASPA, 1990).

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American Society for Public Administration

Code of Ethics

The American Society for Public Administration (ASPA) advances the science, art, and practice of public administration. The Society affirms its responsibility to develop the spirit of responsible professionalism within its membership and to increase awareness and commitment to ethical principles and standards among all those who work in public service in all sectors. To this end, we, the members of the Society, commit ourselves to uphold the following principles:

- 1. Advance the Public Interest.** Promote the interests of the public and put service to the public above service to oneself.
- 2. Uphold the Constitution and the Law.** Respect and support government constitutions and laws, while seeking to improve laws and policies to promote the public good.
- 3. Promote democratic participation.** Inform the public and encourage active engagement in governance. Be open, transparent and responsive, and respect and assist all persons in their dealings with public organizations.
- 4. Strengthen social equity.** Treat all persons with fairness, justice, and equality and respect individual differences, rights, and freedoms. Promote affirmative action and other initiatives to reduce unfairness, injustice, and inequality in society.
- 5. Fully Inform and Advise.** Provide accurate, honest, comprehensive, and timely information and advice to elected and appointed officials and governing board members, and to staff members in your organization.
- 6. Demonstrate personal integrity.** Adhere to the highest standards of conduct to inspire public confidence and trust in public service.
- 7. Promote Ethical Organizations:** Strive to attain the highest standards of ethics, stewardship, and public service in organizations that serve the public.
- 8. Advance Professional Excellence:** Strengthen personal capabilities to act competently and ethically and encourage the professional development of others.

A separate document containing practices that serve as a guide to behavior for members of ASPA in carrying out its principles is available at www.aspanet.org/CodeofEthics. The practices have been integrated into the narrative in this Guide. Each practice appears in *italics* followed by its number and letter from the separate document.

Elaboration of the Code of Ethics and Assessment Questions

- 1. Advance the Public Interest.** Promote the interests of the public and put service to the public above service to oneself.

Public administrators serve the public in two respects: advancing the public interest and providing services to the public.

First, public administrators *seek to advance the good of the public as a whole, taking into account current and long-term interests of the society (1a)*⁷. This is an abstract requirement with no single definition, but it is still an important guide. This principle links public administrators to the broad purpose of their organization and the persons that it serves directly and indirectly. Administrators with an external focus in their job provide services or benefits to clients or perform tasks that protect the public. Those who perform internal functions contribute to the capability of the organization to carry out its responsibilities. In either case, there are persons who are served directly and others who are indirectly affected by the work. A public health nurse is concerned with the wellbeing of the person being treated but is also concerned with protecting the health of the public. The interests of individuals and groups affected by the work of the administrator and the organization are not necessarily identical. The curriculum and teaching methods used to advance the intellectual development of a student are not necessarily the same as the instructional approach that companies who hire the graduates of public schools would prefer, but neither should be ignored. Advancing the public interest also entails paying attention to the underlying forces and circumstances that shape the conditions addressed in public programs. Administrators should be alert to the possibility that they are “treating” superficial characteristics that are caused by underlying conditions. They should even be willing to recognize that their programs may be contributing to the problems they are trying to correct.

It is common to hear the appropriate comment that a public administrator is “not just doing a job or simply performing assigned tasks.” The commitment to the public interest asks administrators to think about and commit themselves to promoting the larger purpose of their program and organization. Consider these questions that are intended to you think more fully and critically about this principle and how it relates to your own work and organization:

- How do the goals of my organization advance the public good?
- How do I contribute to these goals through my work?
- Who do I serve directly and indirectly?
- What are the conflicting interests that I need to balance?⁸
- How much attention do I give to long-term as well as short-range interests and to addressing the causes of problems that I deal with in my work, as well as their symptoms?

⁷ This refers to principle 1, practice “a” from “Practices to Promote the ASPA Code of Ethics.” Excerpts from the practices are *italicized*.

⁸ For example, in a job training program, there may be differences between the skills that a potential employer wants developed and the broad development needs of the client.

These questions should be considered periodically to take stock on how you contribute to the public good because your responsibilities and the programs on which you work may change over time.

Specific decisions arise when administrators are faced with exercising discretion. Discretion stems from the need to apply laws that are vague or ambiguous; from the managerial choices inherent in staffing, budgeting, spending, and directing; from the special knowledge and expertise they possess or that exists with the organization; and from special conditions, such as urgency, that attend some decisions. Administrators should *exercise discretionary authority to promote the public interest* (1b). When making a choice such as how to make the best use of resources or how to focus enforcement efforts, exercising assigned responsibilities, analyzing a problem, or making a recommendation [covered as well in principle 5], administrators should *be prepared to make decisions that may not be popular but that are in the public's best interest* (1c). There are choices to consider in deciding whether to use discretion. If the decision is “yes,” there are also choices about the discretionary actions to be taken. The guideline presumes that discretion is being used appropriately but also that administrators are willing to step up and accept their responsibility to act in the face of uncertainty. Making decisions that should properly be made by others is unethical; administrators should not preempt the decision-making authority assigned to other officials. On the other hand, “passing the buck” and refusing to make a decision when the conditions warrant doing so may represent an ethical failure.

- What are the most important discretionary choices that I make in my work?
- Do I have sufficient awareness of the constraints imposed upon my discretion by the community, the courts, and legitimate government actors? If not, do I seek out this information from an informed source?
- Do I accept my responsibility to take the initiative to act in a discretionary way when the circumstances require it? Or do I avoid acting unless explicitly required?
- Do I make decisions based on what appears to be the best choice in the long-term and considering the interests of all persons affected by the decision, or on pressures of the immediate situation and demands of select participants?

The second meaning of serving the public involves the interactions with the public in providing services and the quality of service provided. It is fundamentally important for administrators to *subordinate personal interests and institutional loyalties to the public good* (1d). Administrators who expect favors for doing their duty or put the convenience or interests of the agency above providing services to the public are acting unethically. When administrators act in this way, members of the public appropriately view these behaviors as a violation of the public trust. In some societies, there is widespread corruption evidenced by the exploitation of citizens by administrators who will not fill their responsibilities without a bribe. Mistreatment of citizens and the failure to provide services are obvious violations of the service ethic. Even in the absence of such extreme behavior, administrators may fail to demonstrate a true service orientation by behaviors such as spending an inordinate amount of time on personal issues in the office, treating citizens unprofessionally, or presenting a negative demeanor. Administrators should be aware of the service standards in their organization and the professional standards that apply to their work. They should *serve all persons with courtesy, respect, and dedication to high standards* (1e).

- With what individual residents or groups do I have a direct service relationship? Do I treat all with the same respect and regard?
- What are the standards of service and quality that should apply to my work?
- If someone were observing how I relate to persons I serve, how would they describe the courtesy, respect, and dedication to high standards that I display?
- Do I go out of my way to serve the public? Do I take the effort to refer problems that are not my direct responsibility to other staff members who can address them?
- Have I observed other members in my organization who behaved inappropriately in their interaction with persons served? What action if any did I take? [See also principle 7.]

Self-Assessment of Development Needs, Challenges, and Opportunities for Change:

This is the first set of personal assessment questions that address the same issues at the end of each section: what additional knowledge do you need to increase your ethical competence, what challenges do you face in your area of specialization and work setting that make it difficult to uphold ethical standards, and what opportunities do you have to broaden your ethical contributions?

What are examples of actions you have taken to promote the public interest and serve the public?

- 1a. Do I need to know more about promoting the public interest and serving the public and how I can meet these responsibilities? For example, do I regularly review what public interest means in my daily work and how I can do better in meeting those responsibilities?
- 1b. What challenges or obstacles do I face in my position that make it difficult to promote the interests of the public and put service to the public above service to myself?
- 1c. What changes can I make to more fully promote the interests of the public and put service to the public above service to myself? These could involve changes in my current behavior, recommitment to standards, or new actions I can take.

A separate Word file is provided Self-Assessment Summary for you to record your answers to the assessment questions for each principle. The responses can be used to develop an action plan using guidelines suggested on the Self-Assessment Summary. The plan covers strengthening your own ethical competence and commitment and improving the ethical climate of your organization. The assessment and action plan can be updated periodically in the future.

2. Uphold the Constitution and the Law. Respect and support government constitutions and laws, while seeking to improve laws and policies to promote the public good.

A core value in a free society is that administration is based on the rule of law and not the dictates of individuals. John Adams called for “a government of laws and not of men.” Normally, public officials should obey the law. All federal executive branch administrators take an oath to uphold the Constitution and share in the Constitutional responsibility to ensure that “the laws be faithfully executed” (Article 2, section 3). State constitutions and local charters provide a framework for public administrators at these levels of government. Nonprofit organizations operate within the framework of their statement of purpose. The mission of public administrators can be viewed as both carrying out the legal requirements that define the core objectives of their work and more broadly as “running a constitution.”⁹ This means that administration advance the broad values and processes of the constitutional and legal framework in which they work. For example, an environmental affairs administrator working for state government in North Carolina is guided by the federal constitution to promote the general welfare and by the state constitution’s reference to the “conservation of natural resources” (Article XIV, section 5). This administrator has the responsibility to enforce provisions of the federal National Environmental Policy Act as well as state environmental law.

All administrators should be attentive to and seek to *promote constitutional principles of equality, fairness, representativeness, responsiveness and due process in protecting citizens' rights and promoting the public good* (2b). Other principles in constitutions define the allocation of authority to officials, e.g., separation of powers or unified authority found in many local governments and nonprofits, citizen roles in the governmental process, the powers assigned and denied to government, and the division of functions across levels of government. Administrators should identify and examine the implications of constitutional principles relevant to their position.

- What constitutional values arise in the course of my work?
- What is the legal basis for the work of my organization, and what is the source of the laws and policies that I enforce and implement?

Ethical administrators are not passively compliant in upholding constitutions and executing the law. In carrying out their administrative responsibilities, they should be cognizant of instances when the dictates of a law are in conflict with constitutional provisions and other laws or violate the ethical principles contained in this Code. They should question the enforcement of such a law and draw attention to the need for change. For example, some local governing bodies have passed ordinances in recent years that require the arrest of undocumented immigrants identified during any interaction with the police and deny all services to undocumented immigrants. In Prince William County, Virginia, the county manager and police chief requested additional resources for cameras in vehicles to protect the rights of individuals stopped by the police and to protect police officers from unjustified charges of racial profiling. In addition, the county

⁹ David Rosenbloom, “The Public Context,” Chapter 1, in Mary Guy and Marilyn Rubin, Eds., *Public Administration Evolving: From Foundations to the Future*. M.E. Sharpe, 2015.

manager identified which services cannot, by federal or state law, be withheld from residents as well as services that should be applied to all residents to protect the general welfare.¹⁰ The original policy was modified by the county commission to check immigration status only after an arrest was made, and the commission accepted the service recommendations. Administrators may not ignore a law they consider to be inappropriate or seek to subvert it, but they should not ignore instances when the law appears to violate constitutional or ethical principles.

- What are my responsibilities to raise concerns about the laws that apply to my work or to suggest revisions to strengthen them?
- Are there specific legal obligations in my public role that have the potential to create a conflict with my ethical obligations? Are there ways to anticipate and resolve these ahead of time?

To act ethically in upholding the law, it is important to *recognize and understand the constitutional, legislative and regulatory framework in which you work and fully discharge your professional roles and responsibilities* (2a). Administrators should be knowledgeable about how the federal or state constitution, the local government charter, or the bylaws of a nonprofit organization shape their authority and responsibilities. They should also be knowledgeable about the laws that are relevant to the tasks that they perform as well as their responsibilities for the way that their work is carried out, e.g., the transparency requirements for the organization.

- What is my “accountability inventory:” to whom am I accountable directly and indirectly within my own organization or at other levels of government for upholding the law?
- Are there conflicting expectations based on differing aspects of the legal requirements that apply to my work? How do I deal with this conflict?
- What are the most important areas in which I exercise discretion in carrying out laws and policies? How do I determine what actions I will take? Do I critically examine whether my actions are consistent with the intent of the law?

Administrators are active contributors to the formulation of policy, and they contribute to the creation, review, and revision of laws. They should question or oppose a law, policy, or organizational rule that appears to violate a constitutional principle. Doing so presumes that administrators clearly understand the constitutional principle including the legal interpretations that underlie it. Administrators should *develop proposals for sound laws and policies and for improving or eliminating laws and policies that are unethical, counterproductive, or obsolete* (2c). With the passage of time and changing conditions, laws, regulations, and procedures can become obsolete or interfere with the proper functioning of administrators and programs. Care must be taken to periodically identify antiquated or dysfunctional laws, regulations, or procedures in order to maintain and increase effectiveness and efficiency, correct deficiencies, and improve access and understanding of citizens. The change process must respect the democratic process. Proposals for change in law or policy may come from administrators, but

¹⁰ On the response to and ultimate revision of an ordinance to arrest undocumented immigrants in Prince William County Virginia, see Kristen Mack, “Pr. William Softens Policy on Immigration Status Checks,” Washington Post, April 29, 2008 <http://www.washingtonpost.com/wp-dyn/content/article/2008/04/29/AR2008042902990.html>.

they must ultimately be fully debated by elected officials and adopted in a process governed by laws and regulations on open government.

- Are there changes that should be made in laws and regulations related to my position
- What actions should I take to draw attention to the need for change?

Finally, administrators should be aware of and observe laws that *respect and safeguard protected and confidential information* (2d). A commitment to transparency and providing information to the public (discussed further in the elaboration of principle three) does not override legal controls that prohibit the release of certain kinds of information. For example, information classified as secret cannot be released, and the administrator would be restricted to informing certain designated officers about a problem with the collection or use of secret documents. Furthermore, a commitment to transparency does not justify revealing information that has been designated as confidential.¹¹ Examples are revealing details of contracts during the negotiation stage and unauthorized access to confidential personnel files. These restrictions can collide with the public's right to know.

- Do I understand the privacy standards that apply to my work? Do I ensure that everyone in my department with access to protected information adheres to these standards?
- Am I aware of any information that I handle that cannot legally be released to persons outside the organization?

Self-Assessment of Development Needs, Challenges, and Opportunities for Change:

2a. Do I need to know more about the laws that pertain to my position as well as my responsibilities under the constitutional framework in which I work?

2b. What challenges or obstacles do I face in my position that make it difficult to uphold the law, or are there instances of behavior in my organization that may violate the law and the Constitution?

2c. What are the changes I can make to more fully uphold and improve the law? These could involve changes in my current behavior, recommitment to standards, or new actions I can take.

¹¹ Each person, whether a citizen or government employee has rights of privacy that should be safeguarded, although the scope of those rights may be limited by legal requirements. For example, in *Duplantier v. the United States*, “the Fifth Circuit Court of Appeals held that public financial disclosure requirements of the Ethics in Government Act did not unconstitutionally invade the privacy of Federal judges.” United States Office of Government Ethics www.oge.gov/DisplayTemplates/ModelSub.aspx?id=8589934668.

- 3. Promote democratic participation.** Inform the public and encourage active engagement in governance. Be open, transparent and responsive, and respect and assist all persons in their dealings with public organizations.

Responsible administrators inform the public about the services they provide and in turn disseminate the input received from citizens to others in their organizations. Further, administrators must support the participation of citizens in the political process and develop mechanisms for citizens to meaningfully advise officials and review government actions. In recent years, there has been growing support for “citizen engagement” that fosters communication among citizens and with officials, and expands the role of citizens in delivering services and tackling community concerns. There is recognition that many social issues—for example, sustainability, health problems, and educational improvement—cannot be addressed without extensive involvement of citizens in coordination with government efforts.

As a basic responsibility and foundation for citizen involvement, administrators should *be open and transparent while protecting privacy rights and security* (3a). There are extensive legal requirements at the national, state, and local levels to ensure open meetings and comply with requests under freedom-of-information mandates, and administrators should *recognize and support the public's right to know the public's business* (3b).¹² Administrators should consider whether there are individuals or groups that could be substantially impacted by information that administrators have or should be notified about a decision that is being considered by officials. These individuals and groups should be provided with the information or notice of the decision, even if the law does not require this communication. They should *promote timely and ongoing dissemination of information about government activities to the community, ensuring a fair and transparent process and educating citizens to make effective contributions* (3e). In their interactions with residents, administrators should *assist members of the public in their dealings with government and respond to the public in ways that are complete, clear, and easy to understand* (3d).

- What individuals and groups do I communicate with in my work? Are there other stakeholders I should be listening to or to whom I should be reaching out?
- Do I provide information and respond to requests for information in an open and helpful way? If resources are not available to do this, do I seek to obtain resources or look for creative methods to effectively provide information to the public?
- Do I look for ways to notify all persons who might be significantly impacted by a decision in addition to those I am required to notify?

¹² The federal Freedom of Information Act enumerates nine exemptions from disclosures to protect records in areas such as personal privacy, national security, business trade secrets, and attorney-client communications. Guidelines indicate, however, that “even if an exemption applies, agencies may use their discretion to release information when there is no foreseeable harm in doing so and disclosure is not prohibited by law.” <http://www.foia.gov/faq.html#exemptions>.

- Do I make an effort to provide information to the non-English speaking public and to persons who are hearing impaired, illiterate, or in other ways do not have ready access to the information?

More active commitment to citizen involvement leads officials in public service to view residents as partners in governance. Citizens participate in choosing elected officials. Additionally, they express their preferences about policies and make demands of government, and they may be asked to feedback on policies adopted and services received. All these forms of participation are essentially one-way interactions between residents and officials or officials and residents. In addition, administrators at all levels of government are increasingly expected to *involve the community in the development, implementation, and assessment of policies and public programs, and seek to empower citizens in the democratic process, including special assistance to those who lack resources or influence* (3c). Administrators should not seek to organize citizens on behalf of proposals they are developing or mobilize groups of supporters. If they are to serve the public as a whole, however, they must make efforts to ensure that all have the chance to participate. It is not enough to be receptive to those who are experienced in dealing with government or command respect because of their resources or connections. Administrators should reach out to all the residents that they serve and communicate in ways that are understandable and meaningful to them. Administrators should consider how they relate to clients or other groups that have a special interest in their work and whether they fail to adequately communicate with them, on the one hand, or give them privileged information not available to the general public, on the other.

- What provisions if any do I make for citizen input to be considered?
- How do I involve individuals and groups in the governance process? Should I propose modifying laws and regulation to allow for greater participation?
- Who do I involve and how do I assist those who may not normally pay attention to government decisions?
- Is my responsiveness and inclusion affected by the size, visibility, popularity, and power of a group?

Self-Assessment of Development Needs, Challenges, and Opportunities for Change:

3a. Do I need to know more about the intent and operational aspects of open government laws and techniques for involving citizens in the governance process?

3b. What challenges or obstacles do I face in my position that make it difficult to fully inform and involve residents in the work of my organization and to promote openness and transparency?

3c. What changes can I make to more fully promote citizen engagement? These could involve changes in my current behavior, recommitment to standards, or new actions I can take.

4. Strengthen social equity. Treat all persons with fairness, justice, and equality, and respect individual differences, rights, and freedoms. Promote affirmative action and other initiatives to reduce unfairness, injustice, and inequality in society.

In their interactions with residents and efforts to address problems, public administrators should seek to strengthen social equity. Public administrators begin with the premise that all persons will be treated equally, but there are complex issues in meeting this requirement in a way that is fair, just, and respectful of individual differences. They should *provide services to the public with impartiality and consistency tempered by recognition of differences (4a)*. In our complex society, some inequalities are linked to social characteristics, and administrators must ensure that all persons are treated equally regardless of their social characteristics. In addition, administrators should *provide equal treatment, protection, and due process to all persons (4b)*.

- What are the characteristics of the persons served by my organization?
- Are all these persons treated impartially and consistently?
- Do all receive fair treatment or are members of some groups less likely to receive service or get singled out for more stringent treatment, for example, racial profiling in law enforcement?

Fairness does not necessarily mean treating all persons equally if their needs and circumstances are different. Many programs and services are conditioned on meeting some criterion related to special conditions, such as benefits that are provided to persons with low income or veterans. Public administrators should *ensure that all persons have access to programs and services to which they are entitled under the law and maintain equitable standards of quality for all who receive the programs and services (4a)*. However, treating all equally with regard to standards does not mean interacting with all persons in the same way. Variations in conditions and cultural norms should be respected and incorporated in administrative behavior by development of *cultural competence (4c)*. Equity entails balancing equality and fairness.

- Are programs in my organization that are targeted to meet special needs reaching all persons who are qualified to receive the program or service?
- Are there systematic differences in participation rates in programs—either over- or under-representation of certain groups of potentially eligible persons?
- In the services my organization provides, is the quality of services provided to persons that have limited resources basically equal to services received by other persons? For example, does the quality of health care for persons in government-supported programs match the basic standards of care in any health setting? Are the qualifications of teachers or the availability of specialized courses in schools with high concentrations of low-income students equivalent to schools with higher-income students?
- Do I interact with all persons in the same way or do I recognize differences in values, culture, language, and experiences? Am I sensitive to the unique backgrounds and needs of persons with whom I interact in service delivery and in my organization?

Prejudice and the effects of unequal treatment persist in our society. Administrators should *oppose all forms of discrimination and harassment (4c)*. Furthermore, administrators cannot

accept accumulated inequalities and simply treat all equally moving forward. They should *promote affirmative action, cultural competence, and other efforts to reduce disparities in outcomes and increase the inclusion of underrepresented groups* (4c). Affirmative action is a principled approach that entails a commitment to rectify and prevent inequality through positive action. There are legal restrictions based on court decisions and referenda in a number of states limit certain specific practices that provide preferential treatment related to public employment, university admissions, or public contracting. However, these actions do not, as the media often announce, prohibit “affirmative action” as a broad approach. Affirmative action entails a variety of efforts to rectify and reduce inequality in these and other areas of public administration.¹³ Public administrators must uphold the law, but they have a responsibility to continue to look for ways to expand opportunities that are consistent with the law and the protection of individual freedoms. Affirmative action and other interventions to address needs are proactive behaviors intended to correct or prevent disparities in outcomes—for example, higher rates of unemployment, failure in school, poor health, substandard housing, or physical isolation for disadvantaged groups—as well as disparities in access, procedural fairness, and quality of programs and services. It is not action on the basis of race, sex, color, ethnicity or national origin alone, but rather action based on need as indicated by evidence of social inequity. Support for affirmative action reflects a commitment to identify inequalities in outcomes and to take positive and legally appropriate actions to remedy these inequalities.

- Am I attentive to the continuing development of the body of law including court decisions and regulation related to unlawful discrimination and sexual harassment?
- Are there disparities in the proportions of persons who experience negative or positive outcomes related to my work? Are there organizational policies or processes that contribute to these inequalities? If so, have I questioned and sought to change these practices?
- Are there policies or processes in my organization that promote affirmative action? Do I support these practices?
- Do I make efforts in my own work to promote equity?

Self-Assessment of Development Needs, Challenges, and Opportunities for Change:

4a. Do I need to give more attention to social equity and learn more about my responsibilities and ways to strengthen social equity?

4b. What challenges or obstacles do I face in my position that make it difficult to treat all equally and to promote social equity?

4c. What are the changes in my current behavior, new actions I can take, or recommitments to standards I can make to more fully promote social equity?

¹³ For example, a great deal of focus has been given to university admissions policies but with little notice targeted academic and social support efforts have been developed to reduce disparities in dropout rates from universities. For example, at the University of Texas Austin, a program initially developed by a faculty member in one department and now used university-wide has dramatically improved the performance of minority and low income students. See Paul Tough, “Who Gets to Graduate,” *New York Times Magazine*. May 15, 2014. http://www.nytimes.com/2014/05/18/magazine/who-gets-to-graduate.html?_r=0.

- 5. Fully Inform and Advise.** Provide accurate, honest, comprehensive, and timely information and advice to elected and appointed officials and governing board members, and to staff members in your organization.

Administrators devote a lot of their attention to implementing policies and delivering services (as well as managing resources as examined in connection with principle 7 on organizational ethics), providing information and advice, and making recommendations. They interact with peers, supervisors, and subordinates in their own and other organizations and share information with them. Many administrators communicate information and recommendations directly to “political” operatives—political appointees, elected officials, or members of governing boards—and far more contribute to the research and identification of options that are transmitted through channels to political officials. The information and advice that is conveyed comes from many sources: designated research staff members devoted to policy research, department heads reporting on progress and proposals from their unit, and from individual staff members who identify a problem or help develop a solution in the course of their regular work. While recognizing that the ultimate responsibility for making policy rests with designated political officials, administrators have always made a major contribution to policy making. Furthermore, the information they provide about the equity, effectiveness, and efficiency of policies and programs is a major stimulus to policy change.

In these activities, administrators need to *provide information and advice based on a complete and impartial review of circumstances and needs of the public and the goals and objectives of the organization* (5a). Meeting this standard requires balancing responsiveness and independence. Administrators should not withhold information when it is requested, nor should they fail to offer information because “nobody asked me” or “it belongs to my department.” Administrators should incorporate their professional knowledge and values while maintaining impartiality. They should not limit the alternatives presented to those preferred by superiors. Administrators who allow partisanship or a commitment to particular approaches slant the information they provide or the recommendations that they make are not impartially serving colleagues, superiors, or the public. Administrators should recognize that their professional and personal values influence how they view situations encountered in their work and their preferences for what actions should be taken. Consequently, a constructive approach is to make those values explicit in communicating with others.

- Do I respond to requests for information or advice in an impartial manner?
- Do I take the initiative when there is a need to offer information and advice about problems or opportunities of which I am aware?
- Do I share information fully with other parts of my organization?
- Do I incorporate relevant input from residents in research and recommendations?
- Do I base my collection and analysis of data and recommendations on my professional knowledge and experience?

Meeting professional expectations to fully inform and advise may be challenged by resistance from various sources. Administrators should *be prepared to provide information and recommendations that may not be popular or preferred by superiors or colleagues* (5b). Officials within the organization may not want to know about shortcomings in programs they

support or to consider options they are not already pursuing or that they oppose. Political superiors may rule out certain policy approaches, questions, or issues. Administrators should be aware of the preferences of others in the organization and responsive to political direction. At the same time, they have a responsibility to the organization and to the public to make known information that is relevant from their professional perspective and to identify valid alternatives even if they are not preferred from a political perspective. Merely telling elected officials or other administrators what they want to hear does not fully inform them nor fulfill the administrator's obligation to the public. Administrators should consider the prevailing norms in their organization for communicating their recommendations. They should fully inform superiors and elected officials without putting them on the spot. The reality for many public administrators is that their "contrary" advice will usually be accepted verbally and privately, but if they put the same advice in writing it can be seen as undermining leadership. Some administrators such as city and county managers, however, are expected to provide a full range of alternatives in their presentations to the governing board because they have the dual responsibility of informing elected officials and the public.

- How do I attempt to maintain balance and completeness in information gathering and dissemination when there is opposition to parts of my approach, or there is pressure to emphasize a preferred message from a political perspective?
- Do I hold back on providing information or making recommendations that are unpopular or have been "ruled out" by the recipient?

Self-Assessment of Development Needs, Challenges, and Opportunities for Change:

5a. Do I need to give more attention to my responsibility to inform and advise and to the standards of completeness and quality that I should meet? Am I communicating with the full range of persons to whom I am responsible? Am I aware of what use is made of the information I provide?

5b. What challenges or obstacles do I face in my position that make it difficult to fully inform and advise those with whom I should be interacting?

5c. What changes can I make to more fully inform and advise persons within and outside the organization? These could involve changes in my current behavior, recommitment to standards, or new actions I can take.

6. Demonstrate personal integrity. Adhere to the highest standards of conduct to inspire public confidence and trust in public service.

The virtuous behavior displayed by administrators has long been recognized as central to responsible and humane administrative performance. Personal integrity supports the other principles and hopefully increases that likelihood that members of the public have positive attitudes about those who serve the public. The lack of integrity will almost certainly reinforce negative attitudes. Over the three versions of the ASPA Code of Ethics, this core principle has been elaborated in ever more detail.

Administrators should *exercise integrity, courage, compassion, benevolence, and optimism* (6a). They should *maintain truthfulness and honesty and not compromise them for advancement, honor, or personal gain* (6b). They should be honest even when they could advance their personal interests by withholding information or failing to tell the truth. Similarly, they should *resist political, organizational, and personal pressures to compromise ethical integrity and principles and support others who are subject to these pressures* (6c). Virtuous administrators do not shift responsibility for their actions to the organization, superiors, or subordinates. They *accept individual responsibility for their actions and their consequences* (6d).

- Do I consciously apply the concepts of truth and honesty in my day-in and day-out administrative communications?
- When I make errors in judgment or mistakes in practice, do I readily admit my responsibility for them?
- Do I acknowledge my responsibility to uphold the policies and regulations of my organization even when there are negative consequences rather than “blaming” the organization for the actions I took?

There is heightened concern about clearly distinguishing public and private roles and interests for all public officials. Administrators should *guard against using public position for personal gain or to advance personal or private interests* (6e). They should *zealously guard against conflict of interest or its appearance and disclose any interests that may affect objectivity in making decisions and recuse themselves from participation in those decisions* (6f). Administrators should recognize that persons who are potentially affected personally by a decision are not necessarily able to be fair and objective. They must disclose the interest and separate themselves from the decision.

- Do I inappropriately seek to benefit from my official position beyond the salary and benefits provided by the organization? Do I accept favors or gifts from those who can be affected by my decisions, such as travel expenses to a conference from potential contractors or accepting Christmas presents from subordinates?
- Do I know provisions of conflict of interest laws that apply to my position?
- Do I hold an outside position or accept payment for outside assignments that might represent a conflict of interest?
- Do I consult with others about potential conflicts of interest?

Administrators should *conduct official acts without partisanship or favoritism* (6g), not only in providing information and advice as noted in principle 5, but also in other areas such as personnel actions, assignments, and enforcement actions or selecting recipients of benefits.

- How do I guard against nepotism or the appearance of nepotism?
- Do I give favorable treatment to other persons or groups that I feel close to or agree with or that have powerful supporters?

Finally, in the interactions within the organization and with the public, administrators should *ensure that others receive credit for their work and contributions* (6h). Honesty and integrity require that one not benefit from the unacknowledged efforts of others.

- Do I take credit for the work of others?
- Am I conscious of the need to appreciate and recognize the work of other staff members including teams and individual team members on projects for which I have responsibility?

Self-Assessment of Development Needs, Challenges, and Opportunities for Change:

6a. Do I need to give more attention to what it means to be a person of integrity in my official position? Do I demonstrate the personal qualities that are likely to make persons with whom I interact in the public and in the organization feel that “I trust you, I have confidence in you, I will help you”?

6b. What challenges or obstacles do I face in my position that make it difficult to demonstrate personal integrity?

6c. What changes can I make to more fully demonstrate personal integrity? These could involve changes in my current behavior, recommitment to standards, or new actions I can take.

7. Promote Ethical Organizations: Strive to attain the highest standards of ethics, stewardship, and public service in organizations that serve the public.

Administrators serve the public through their work in an organization, and they should seek to make their organization an ethical instrument for achieving its stated public purpose. Organizational standards and culture including the values and norms that are widely accepted in practice shape the performance and accomplishments of the organization. They also exert a powerful influence on the behavior of individuals within them. Attaining the highest standards of ethics, stewardship, and public service entails practices at all levels of the organization to elevate collective performance and to support and protect those within the organization.

Administrators should *work to establish procedures that hold individuals and the organization accountable for their conduct and support these procedures with clear reporting of activities and accomplishments (7a)*. When there are factors that impede accomplishing organizational objectives or problems that staff members encounter, these should be clearly communicated along with accurate information about the actual level of performance. It is possible to hide problems from superiors and provide distorted reports on performance, as the scandal over manipulating information about waiting lists in the Veteran's Administration illustrated. Administrators should support superiors in developing a full and honest account of how the organization is performing in meeting its goals and objectives, and they should be diligent and supportive in monitoring the work of their subordinates.

- Am I loyal to the organization's mission and goals rather than to the organization's bureaucracy?
- Do I provide a full account of my performance to superiors and make them aware of problems and issues that affect my abilities to meet objectives?
- Do I blindly follow all rules or orders or do I seek to understand the purpose of those rules and orders?

Public organizations carry out tasks and provide services mandated by law, and are supported by resources collected through taxes or fees. Consequently, administrators should *act as stewards of public funds through the strategic, effective, and efficient use of resources; by regularly assessing the efficacy of policies, programs, and services; and by seeking to prevent all forms of mismanagement or waste (7b)*. They should recognize that conscientious use of resources and efforts to improve efficiency are instrumental goals that serve the high purpose of accomplishing the goals of their organization—they are not ends in themselves. It is natural that administrators who believe in the importance of their mission would seek to obtain additional resources to improve the quality or scope of their programs and services, but they must also seek to make better use of existing resources and find the most economical means to accomplish their objectives.

- Are there continuing efforts to improve the short-term and long-term effectiveness of my own work and to improve the efficiency of resource use in meeting effectiveness goals?
- Do I review programs to see if they are viable given shifts in policy, and do I seek to identify those programs that are not contributing to the organization's updated mission?

- Do I regularly question the efficacy of my work and the methods I use and seek to make constructive changes?
- Do I offer suggestions to help my organization and my co-workers perform better?

A vibrant organization with the capacity for internal renewal encourages creativity and supports staff members who suggest new approaches or identify concerns about existing practices or shortcomings in performance. Administrators should *encourage open expression of views by staff members within the organization and provide administrative channels for dissent* (7c). In an organizational climate supported by this approach, criticisms are more likely to be viewed as constructive suggestions to improve performance that can be addressed within the organization. Taking action to address complaints increases the likelihood that staff members will report problems, and proactive intervention is needed to prevent pressures to keep silent and retaliation against those who report problems.

It is also important to take measures that *protect the whistleblowing rights of public employees, provide assurance of due process and safeguards against reprisal, and give support to colleagues who are victims of retribution* (7c). Administrators should *seek to correct instances of wrongdoing or report them to superiors. If remedies cannot be assured by reporting wrongdoing internally, they should seek external sources or agencies for review and action* (7d). If there is no external agency and a serious problem is present in the organization, it is necessary to consider the appropriateness of providing information to the media or nongovernmental organizations. The complexities and consequences of “blowing the whistle” require very careful assessment that cannot be fully addressed here, but resources are available if an administrator faces a situation that may call for going outside the organization.¹⁴ Administrators have the responsibility not only to support others who have been penalized for reporting problems but also to report problems that they observe. Hopefully, the reporting can be done internally, but circumstances may require going outside the organization.

- Do I encourage speaking out and support the expression of alternative ideas within my group?
- Am I receptive to suggestions or complaints from staff members about organizational problems or instances of wrongdoing? Do I seek to address the problem that is identified?
- If I am aware of wrongdoing in my organization, do I report it to someone inside the organization?
- Under what circumstances should I report wrongdoing to someone outside the organization?

¹⁴ Carol W. Lewis and Stuart C. Gilman, *The Ethics Challenge in Public Service*, Third Edition (San Francisco: 2012) discuss the issues related to whistle-blowing and provide assessment tools (pages 183-186 along with additional tools identified in this section). A coalition of organizations--The Project on Government Oversight (POGO), the Government Accountability Project (GAP), and Public Employees for Environmental Responsibility (PEER)--have published *The Art of Anonymous Whistleblowing* (Washington, DC: 2002).

Another bedrock value is relying on merit in making decisions about personnel. Public administrators should *support merit principles that promote excellence, competence, and professionalism in the selection and promotion of public officials and employees and protect against biased, arbitrary, and capricious actions (7e).*

- Am I knowledgeable about the laws and regulations that govern merit for my organization? Are merit principles followed in my organization's decisions?
- Do I seek to ensure that the principles are justly, fairly, and equitably administered?
- How do I ensure that instances of arbitrary actions that violate merit rules are reported?

The representativeness and inclusiveness of public organizations are also important. The better the workforce reflects the population served, the more effective the organization can be and the better it can relate to the public. Access to public positions is a benefit that should be open to all. Public administrators should *promote proactive efforts to increase the representativeness of the public workforce and the full inclusion of persons with diverse characteristics (7f).* In keeping with the commitment to merit, efforts to promote diversity include search activities designed to recruit highly qualified candidates with diverse characteristics and a commitment to prepare persons from underrepresented groups within the organization to be strong competitors for promotion.

- Do I make the effort to learn about and be tolerant of the belief systems, physical characteristics, and the language and culture of groups that differ from my own?
- Do I seek to bring these diverse elements into the normal functioning of my organization?
- Am I cognizant of the rules and policies of affirmative action, equal employment, and diversity, and do I take care to employ these faithfully in both letter and spirit within the organization? Do I make efforts to align affirmative action efforts with merit principles?
- Am I cognizant of the rules and policies of sexual harassment, and do I apply them in good faith within my organization?

An organization can reinforce its norms and values with a statement of its values and standards. Administrators should *encourage their organizations to adopt, distribute, and periodically review a code of ethics as a living document that applies principles of the ASPA code and other relevant codes to the specific mission and conditions of the organization (7g).* Beyond seeking to assure that the organizational code incorporates key ethical principles, it is imperative that the norms and values actually practiced and reinforced by the informal organizational culture be consistent with the organizational code. Administrators at all levels in the organization should demonstrate a commitment to the organizational code.

- Do I support the development of a code for the organization, if there is none, or the review of an existing code to match current conditions and challenges?
- Am I familiar with my organization's code of ethics and how it applies to my responsibilities?
- Do I speak out when practices in the organization conflict with the code?

Self-Assessment of Development Needs, Challenges, and Opportunities for Change:

7a. Do I need to give more attention to organizational practices and consider whether they correspond to the characteristics of an ethical organization?

7b. What challenges or obstacles do I face in my position that make it difficult for me to advance the standards of an ethical organization?

7c. What are the changes I can make to more fully promote ethical standards in my organization? These could involve changes in my current behavior, recommitment to standards, or new actions I can take.

8. Advance Professional Excellence: Strengthen personal capabilities to act competently and ethically and encourage the professional development of others.

The challenges facing public administrators are constantly changing, as are the possible approaches that can be taken to improve the interaction with elected officials, involvement of citizens, contributions of staff, and utilization of other resources. Clearly, public administrators should *keep up-to-date on emerging issues, practices, and potential problems that could affect their performance and ability to accomplish the mission of their organization* (8a). They have a responsibility to expand their own professional competencies.

- How complete is my academic preparation for the position I fill and may move into in the future?¹⁵
- Do I take advantage of opportunities for professional development?
- Do I strive to keep current on new developments in my area of responsibility?

Administrators should look for ways to help co-workers advance their professional capabilities. They should *provide support and encouragement to others to upgrade competence and participate in professional activities and associations* (8b).

- Am I aware of the development needs of others in my work group, and do I help them to seek out development opportunities including training, opportunities for new kinds of experience, and learning about leading practices in your field?
- Do I systematically plan for the future succession needs of my organization?

It is particularly important for administrators to support the development of persons thinking about or at early stages of a career in public service. They should *allocate time and resources to the professional development of students, interns, beginning professionals, and other colleagues* (8c).

¹⁵ For a detailed guide to assessing individual educational and training needs, see Herman Mertins, Jr., *et al.*, *Applying Standards and Ethics in the 21st Century*. (ASPA, 1998), pp. 37-38.

- Do I interact with students and young professionals and encourage them to pursue a career in public service?
- Have I volunteered my time and efforts to increase contacts between my organization and public service education programs?
- Do I provide meaningful experience to the interns assigned to my organization and promote the development of beginning staff members?
- Do I take affirmative steps to expand the opportunities for persons who are underrepresented in public service and promote their likelihood for advancement?

Self-Assessment of Development Needs, Challenges, and Opportunities for Change:

8a. Do I need to give more attention to assessing my knowledge and skills and to identifying the training needs of my staff?

8b. What challenges or obstacles do I face that make it difficult for me to expand my own professional development and assist others?

8c. What are the changes I can make to more fully promote professional excellence in myself, young professionals, and my organization? These could involve changes in my current behavior, recommitment to standards, or new actions I can take.

ASPA Ethics Review Process

William Mosher (1938, 333), who would become the first president of ASPA in 1939, argued that professional ethics is both an individual and shared responsibility. Each member of the profession is “the keeper of the code,” but it is also important to have “a properly constituted body acting under prescribed procedures” that can examine and recommend disciplinary actions for possible violations of the code.¹⁶ This dimension was added to the ASPA approach to ethics in 2014 when the National Council and the ASPA membership approved the creation of the Ethics and Standards Implementation Committee. Its purpose is to provide education about public service ethics, raise awareness of ethical issues, and support a review process for members. The review process is multi-faceted and includes—

- responding to inquiries from members about ethical standards and handling ethical dilemmas
- reviewing requests for help from members who have been penalized for upholding the Code and providing support to them
- recognizing members whose actions exemplify the code
- reviewing and seeking to resolve complaints about a member whose actions may have violated the Code of Ethics.

The first three are important sources of support and recognition that ASPA provides to its members. The fourth is also intended to be a supportive process that encourages positive ethical performance by examining instances of possible unethical behavior.

The review process is important to strengthening ethics in ASPA because it connects the standards in the Code to real behaviors and deepens understanding of what the Code means in practice. It enables the shift from an “aspirational” code to an “actionable” code that is carried out in the work of public service professionals. It identifies ethical issues that should be examined in educational and training programs of the Ethics Committee and the ASPA Section on Ethics and Integrity in Governance. The objectives are to elevate ethical behavior and prevent unethical conduct rather than focusing on enforcement. Offering concrete examples of behaviors that are consistent with the Code and behaviors that fall short of the standards in the Code will support the educational commitment of the Committee.

If a complaint about a member is received, the Committee will seek to understand the behavior that led to the complaint and determine whether it represents a potential violation of the Code. If the behavior is deemed not to be a violation, the complaint will be dismissed with an explanation provided to the complainant. If there does appear to be a violation, the Committee will encourage voluntary corrective action by the member to demonstrate compliance with the Code.

¹⁶ William E. Mosher, “Public Administration: The Profession of Public Service.” *American Political Science Review* 32 (1938), p. 338.

The Ethics Committee may not impose any sanctions or initiate a formal investigation. The bylaws give the National Council the authority to instruct the Ethics Committee to conduct an investigation. The Council may not impose sanctions without an investigation and recommendation by the Ethics Committee. The Ethics Committee or the Executive Committee may initiate investigations regarding matters internal to ASPA.

All aspects of the review process are intended to be a constructive process that helps members understand how the Code can be applied to specific situations. Issues identified in questions and complaints will be used in the educational activities of the Ethics Committee to help raise awareness of ethical challenges and expectations. Questions and other communications with the Ethics Committee can be sent to ethics@aspanet.org.

The review process contributes to making ethics real for ASPA members. The Code of Ethics is not just a statement of aspirations that members can decide whether and how to apply to themselves.¹⁷ All members now share the responsibility to observe the Code individually and collectively.

¹⁷ Mylon Winn quoted in Donald C. Menzel, *Ethics Moments in Government: Cases and Controversies*. Boca Raton: CRC Press, 2010, page 210.

Self-Assessment Summary

Review your responses to the three Self-Assessment questions at the regarding each principle in the Code. This summary and action steps are also included in the [Self-Assessment Summary](#).

Based on the responses, identify the parts of the Code that require attention. Then prepare an action plan.

Principles that require attention:

- In rank order, I need to give attention to changes related to these principles:

Action plan for myself and my context:

A. In this section, I identify the actions that I can take on my own:

1. What actions will I take to increase my ethical competency? For each, what is the expected completion date?
2. What actions will I take to address the most important constraints and challenges that I face? When will I take each action?
3. What changes in my behavior should I make in order to overcome shortcomings in my ethical behavior and/or to more fully demonstrate positive ethical behavior? By what date will I act on each commitment?

B. In this section, I identify changes that I think should be made in my organization, my government, or my environment to address challenges and obstacles to my ethical behavior.

1. What are the most important changes that should be made to remove constraints and challenges that impede ethical behavior?
2. For each needed change, what actions can I take to draw attention to the need for change and promote corrective action?
3. For each needed change, with whom can I partner to promote change?

I will repeat this self-assessment starting on this date: _____ .