



Code of Ethics & Communication

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CAN WE TALK?

The Nebraska Association of School Commissions has always focused commission development/leadership on assisting commission members in their understanding of the importance of governance. In 2013, the Commission of Directors in collaboration with the Commission Leadership Department implemented the NASB Standards for Effective Commission Governance.

The Standards provide a leadership model that clearly define the primary tasks, roles, and responsibilities which begins with district's overall mission, vision, and goals. Yet, in order to define strategic goals, the commission must connect with the community to hear and understand the community's educational aspirations and expectations. It is worthy of noting, that there is a distinction between community engagement and public relations. While many school districts go above and beyond in the area of public relations, community engagement is more than public relations (pushing out positive information to the community); therefore, this conversation is about effective community engagement, a key element to the commission's community connection.



“Community engagement is more than public relations.”

~NASB Board Leadership

Community engagement is a process by which school commissions actively involve a diverse group of citizens in a collaborative discussion. Contrary to the vision of the expectation's community members may have, the setting is not an “open mic” event, but rather a setting in which stakeholders discuss purposeful and organized questions to support the long-term goals for growth and improvement. A healthy community engagement setting will enable the commission to:

- Connect with internal and external stakeholders
- Engage varied perspectives, viewpoints, and expectations
- Identify common perspectives
- Address legitimate public issues
- Grow the capacity of the community to work collectively and collaboratively
- Focus debate, galvanize actions through leadership and the help of community members

To be effective, the commission should be clear about the purpose for engaging the community and clearly communicate the intent with stakeholders. Remind participants that the community does not make the decisions for the commission, but rather community engagement is an essential part of the work of the commission as it prepares to make the vital decision entrusted to it by the community.

Therefore, it is important that the commission will:

- Be clear about the purpose for convening community engagement and how the commission will use the community's input
- Be willing to listen to all voices, not just the most vocal or outspoken
- Seek to understand the community's ideals for the education the district provides
- Use the feedback gained through the process to advocate for growth and improvements
- Keep stakeholders well-informed about issues and progress of the district

The commission may expect that stakeholders will:

- Convey expectations
- Contribute honest and reasonable feedback to assist the commission
- Understand that the commission must make decisions based upon what is the best for the county, not special interest groups
- Respect and support decisions made after the commission considers all information
- Support the process and the decisions as adopted by the commission

When convening community stakeholders for community engagement, whatever process, the questions should be designed to elicit responses that reflect diverse viewpoints in the community.

WHY COMMUNITY ENGAGEMENT?

Why would the county commissioners want to engage in a time-consuming process in order to gather input in support of decision-making? Community engagement allows the commission to know where we are, who we are, and what we aspire to be and how the Commission plans to fulfill this responsibility.

Purposeful discussion creates better informed stakeholders and buy-in regarding the rationale used and the decisions that result from the process.

The Association recognizes the potential obstacles that may arise when considering Community Engagement. It is not uncommon for stakeholders to say that "I":

- Do not have time because of family commitments
- Do not have time due to job responsibilities
- Do not know enough about the issues
- Do not know how to get involved
- Do not like to join a group for any reason
- Do not think it will be of benefit after the time and effort of attending

However, not having all sectors of the community represented may fuel apprehension regarding the authentic nature of the process and/or outcome.

Community Engagement provides the Commission with a viable opportunity to be proactive. Commissions that engage in purposeful communication with stakeholders do not give special interests the chance to take over the purposeful conversation that ultimately can enable the county to move forward. Conversely, the Commission that rejects or fails to actively engage the community can fall victim to reacting to conversations that they neither start nor contribute to in any meaningful way.

In order to solve problems, make choices and act for the good of the public. They need to reach out to discern the community's aspirations on public policy issues. According to NASB, that involves:

- Creating a shared understanding of policy problems and choices. Without a shared understanding, are we making positive progress?
- Craft policy solutions that achieve the greatest value through inclusion, participation, deliberation, and facilitation

Principles of Community Engagement

Community engagement should involve diverse stakeholders in dialogue, deliberation and collaboration. The ultimate goal is to create a shared purpose for the county that embraces the complexity of issues and competing values that are bound to exist among diverse opinions. By using open ended questions (those that require more than a yes/no answer) within a carefully planned and prepared setting and employing an outside facilitator, the discussion provides a platform that allows stakeholders to have a voice in the planning discussion.

Every community has a diverse range of voices that need to be heard. In many instances, county commissioners often hear from a select few (those who come to the commission with complaints, those that want something unique, or the voices that they themselves bring to the table). When we engage a broad audience of stakeholders the county will generate community-wide support for district initiatives. When more stakeholders feel a connection to the county, the more likely they are to participate and support county programs or efforts.

STAKEHOLDER ENGAGEMENT

Who are stakeholders? In the context of community engagement, a stakeholder can be defined as any person, or group, internal/external, who has an interest in the county or may potentially be affected by the mission, vision, and goals.

Recommended Stakeholder Participants

Invite those who advocate for the county as well as those who may be perceived as less than supportive. If local news media is not invited as a participant, be certain to specifically invite the media to report on the discussion.

Business and Industry Representatives

- Chamber of Commerce
- Community Economic Development
- Business owners
- Agriculture related services (Coop, elevator, implement dealers, feed supply, etc.)
- Realtors
- Banking
- News media

Local and Governmental Representatives

- Mayor and/or City Council Member
(County Commissioner) *
- School Board Members
- Sheriff and Chief of Police
- Legislators
- Minority Advocacy groups

Note: It is important to also include those that generally oppose most all issues that come before stakeholders and/or matters that will have a positive impact on student learning.

**Please note that we advocate for school boards to engage county commissioners in school district community engagement.*

LEVELS OF ENGAGEMENT

Consider and define the level of participation for the various stakeholder groups. This will inevitably be determined based upon the desired outcome. The outcome is fundamental to the process and results; therefore, effective community engagement will be focused upon a clear statement of exactly what the county commissioner intends to derive as result of community engagement.

The desired outcomes for undertaking community engagement may include:

- improved working relationship with all stakeholders
- improved/changed perception of the county
- improved communications
- growth of support and/or goodwill for a project or initiative
- agreement on purpose/direction of a project or initiative
- early identification of potential issues, conflicts, and benefits
- generation of new ideas

- formation of new or growing partnerships
- address conflict before it impedes progress
- cost savings planning
- increased community cohesiveness

Level of Engagement	
Inform	To provide stakeholders with balanced and objective information to assist them in understanding an issue, opportunity, and/or solution.
	<i>This level of engagement enables the commissioner to keep stakeholders informed.</i>
Consult	To obtain stakeholder feedback for decision-making based upon analysis, alternatives, and/or decisions.
	<i>This level of engagement enables the commissioner to keep stakeholders informed, listen to and acknowledge concerns, and provide feedback on how the input influences decision-making.</i>
Involve	To work directly with stakeholders throughout the process to ensure that concerns and perspectives are consistently understood and considered in decision-making processes.
	<i>This level of engagement enables the commissioner to work with stakeholders to ensure that their concerns are considered and provide feedback on how the input influenced decision-making.</i>
Collaborate	To partner with stakeholders by engaging in the discussion and the development of solutions and alternatives to meet the desired outcome.
	<i>This level of engagement enables the commissioner to engage stakeholders to provide input and provide feedback on how the feedback influenced decision-making.</i>

It is important to remember that as the county commissioner building partnerships with the community is the ultimate end goal of community engagement and this mechanism enables the county and stakeholders to work together effectively. Therefore, different levels of participatory methods are designed to produce alternate outcomes. Identifying and agreeing to the “desired outcome” is thus a crucial part of the planning process. It not only helps pinpoint the most appropriate methodology for engagement, but ensures that the overall aims of the process are never lost when defining the scope of community engagement.

Finally, a clear purpose gives stakeholders an understanding of what they are a part of and the opportunity to make an informed choice about getting involved in the first place. Too often we hear stakeholders complain that they feel misled. This is often because of miscommunication between the county and stakeholders.

DEFINING THE PURPOSE

Defining the purpose requires understanding of the need, value, and benefit of community engagement. In the beginning, there must be an agreement on the need and intended outcome as a result of the process followed by the identification of those affected by the decision and the interest and concerns that may surface as a result of the outcome.

Purpose describes the desired goal the count/commission ultimately plan to achieve.

- 1) What does the commissioner hope to achieve at the end of this process (i.e., anticipated goal)?
- 2) What tangible products will the commissioner have produced from this stakeholder engagement process (i.e., the key outcome)?
- 3) What needs to be done with the outcome, in order to achieve the desired goal?

Objective describes how the commissioner will achieve the outcome. For example, by holding a stakeholder group meeting including experts, to discuss the issues related to this improvement, provide information and try to reach a consensus.

THE FORMAT

What method or format is most effective when determining how to engage stakeholders? The Association is a strong advocate for the face-to-face format rather than surveys and/or on-line questionnaires.

Community Forums enable a broad audience to discuss and share perspectives, ideas, and interests. The questions discussed in this setting, must be communicated prior to the event to ensure stakeholders understand the purpose of the gathering and what will be discussed. **(Inform)**

Focus Groups allow for discussion with a small group of carefully selected stakeholders who have been convened to discuss and provide input on a specific topic. **(Consult)**

Advisory/Study Groups consists of eight to 12 stakeholders from different backgrounds and viewpoints who meet several times to provide input on a specific issue. In this setting, everyone has an equal voice, and the purpose is to try to understand each other's views. Note: The stakeholders do not have to agree with each other. The idea is to share concerns and look for ways to make things better. **(Involve)**

Visioning/Planning engagement may be a part of strategic planning and involves a series of meetings that are focused specifically on long-range issues and result in a long-range plan with strategies for achieving goals. **(Collaborate)**

The Association advocates for the face-to-face format based upon experience and effective communication. Most people learn better in an interactive environment where they can envision how different perspectives will affect their lives and where they can test strengths and weakness of different ideas. Face-to-face also enables stakeholders to take shared ownership of the issues and participate in a discussion focused on how the district will respond and/or address the issue.

EVALUATION

Do not overlook the importance of evaluation. Monitoring the effectiveness of the community engagement enables the commissioner and facilitators to assess the purpose and process.

Formative Evaluation is the ongoing evaluation throughout the community engagement process with stakeholders involved.

Summative Evaluation follows the process and allows the facilitators to analyze the success of the overall process from the perspective of the county commissioner.

County Code of Ethics



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About the National Association of Counties

The National Association of Counties (NACo) is the only national organization that represents county governments in the United States. Founded in 1935, NACo provides essential services to the nation's 3,068 counties. NACo advances issues with a unified voice before the federal government, improves the public's understanding of county government, assists counties in finding and sharing innovative solutions through education and research, and provides value-added services to save counties and taxpayers money. For more information about NACo, visit www.naco.org.

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Ethics in County Government

The legitimacy of a democratic government rests on its ability to gain the trust of its citizens. Corrupt government officials and staff who fail to uphold basic standards of ethics completely undermine the role of public service. At the core of decisions, officials are expected to keep the interest of the public—not themselves—in mind.

While the most prominent cases of public corruption have occurred on the federal and state levels, county governments are not exempt from adhering to ethical guidelines. In many cases, counties have less oversight and accountability making it easier to get away with unethical practices. For that reason, it can be very helpful for counties to utilize codes of ethics to increase accountability and principled conduct.

“Nearly all men can stand adversity, but if you want to test a man’s character, give him power.”—Abraham Lincoln

Why Do Counties Need a Code of Ethics?

Most people interpret ethical conduct in black and white—there are right things to do and then there are wrong things. However, upon entering into public office, many public officials quickly realize that a vast array of ethical dilemmas fall into a menacing “gray” area where the “right thing to do” is not easily apparent. Making the right choice in a difficult situation is not always so straightforward. In many instances, just the appearance of wrongdoing, whether illegal or unethical activity has actually occurred, can create major problems for county officials.

According to Ron Carlee, former County Manager of Arlington County, VA, when making a difficult ethical decision, government officials should be able to ask themselves, “Would I be will-

ing to defend my actions on the front page of the newspaper, and could I do so successfully?" A code of ethics for a county or local municipality can be a useful tool in eliminating ethical confusion and misunderstandings, providing a concrete framework for acceptable conduct.

How should a Code of Ethics be written?

Before determining what content should be integrated into a Code of Ethics, the purpose of the code must be decided. Is the code designed to inspire officials or to simply regulate the behavior of officials? Different kinds of codes are designed to serve different purposes. For some counties, a "statement of values" or a "mission statement" are sufficient means of portraying standards of ethics.

However, if it is clear that a broader, more detailed code of ethics is necessary, then one should be constructed in the proper form. The most common and effective layout divides the code into two parts. First, an aspirational section frequently includes a preamble and outlines the ideals of the county. The second section typically sets forth the rules or guidelines that county officials and employees are expected to uphold.

Once these two sections have been drawn up, the enforcement process must be developed. Will there be penalties for violating the code? If so, how will they be administered? Additionally, counties must look at how the code will be implemented and advertised to the staff, as well as to county residents.

A well-written code of ethics is designed:

- To define acceptable behavior by county officials and employees
- To promote high standards for county officials and employees
- To provide a measurement for members to use for self evaluation
- To establish a framework for professional behavior and responsibilities
- To establish occupational identity
- To show occupational maturity

What topics should a Code of Ethics attempt to address?

Transacting business is one of the most common areas included. This is generally where most citizen complaints are “conflicts of interest” issues. A county may contract or do business with an employee’s or county official’s business as long as they are not involved in the award of the business contract.

Conflicts in Voting Procedures can be another problematic area. This applies specifically to county commissioners and board members and generally says that they should abstain from a vote on issues on which they would profit or enhance a relationship.

Acceptance of gifts is a touchy area. The inclusion of this area in a code generally defines a gift either by its economic value or as a promise for future benefits. Codes usually state that gifts are prohibited if official acts have or could occur.

Exploitation of Official Position is included in a code to prohibit elected officials from using their elected positions to obtain special privileges and exemptions.

Prohibition on the use of confidential information is always included to prohibit elected officials and other county employees from accepting payment to divulge information or from using confidential information for their own personal gain or benefit.

Financial Disclosure Reports are also typically included. This financial disclosure report, filed either with a state office, if it is a state law, or the county office, usually has a required form and includes an itemized source of income



statement for the official. This regulation also requires candidates for elective office to satisfy financial disclosure regulations.

Outside employment rules are also often included in a code of ethics. This section of the code usually prohibits county employees from receiving payment for the same services they perform for the county from any other source. It also often includes a prohibition of certain kinds of outside employment for county employees.

Many more advanced codes include a *two-year rule*. This rule states that elected officials cannot lobby the county for any purpose, including doing business, for a period of two years after the end of their time in office.

Are Codes of Ethics always enough to thwart corruption?

Although ethics codes provide concrete rules for conduct in public office, they must not only be taken to heed by the officials themselves but also examined by an outside audience to ensure accountability. Oversight of ethical conduct is critical to the success of any sort of ethical guidelines. Depending on the size of the

county and its history of unethical behavior, this “ethics inspector” can be anyone from another county official, staff member, or even a public citizen. Any person can report an ethics violation if there are sound rules in place.

Certain larger counties and counties that have experienced episodes of corruption have gone a step further and constructed an ethics commission to monitor the conduct of county offi-



cials. These commissions generally consist of several appointed members who investigate and monitor suspicious or unethical behavior within the government. Counties such as Broward, Miami Beach and Palm Beach, Fla., Montgomery, Md., and Los Angeles and San Bernadino, Ca., have all found it useful to create such commissions to enforce their county's codes of ethics.

Questions Citizens Ask About Ethics

Who do I report a conflict of interest to in my county?

Most people think they understand a conflict of interest. They know one when they see one! However, an action by a local official is probably not a conflict of interest unless some law, code, ordinance or regulation says it is a conflict. Many counties and some states have adopted codes of ethics that provide a definition of a conflict of interest. In the absence of such a formal definition, it is difficult for a citizen to substantiate their claim. In fact, a conflict of interest is often viewed to be a moral call made by the individual in his own subjective terms if there is no law to follow.

A key determinant in defining a conflict of interest first involves determining whether the public official made a decision that would only benefit the public interest. It is important to ask the following questions: Did the official make a decision that benefits him personally, professionally or financially? Was the official in a position to influence a decision that benefited him or a colleague? Depending on the answers to these questions and the state and county government structure, you may want to file your complaint with the County District Attorney or the State Secretary of State.

In most cases where a conflict of interest arises, the official recuses him or herself from the deliberations or abstains from any vote.

Why do we need ethics codes anyway?

An elected official once said “ethics codes don’t work if you have unethical people.” However, by having a tangible code that establishes standards of conduct based on duties and virtues and establishes parameters for behavior, officials are forced to be ac-

countable for their actions. NACo established a model code of ethics for county officials that states:

The ethical county commissioner *should*:

- Properly administer the affairs of the county.
- Promote decisions which only benefit the public interest.
- Actively promote public confidence in county government.
- Keep safe all funds and other properties of the county.
- Conduct and perform the duties of the office diligently and promptly dispose of the business of the county.

Why do you have to be related to someone at the county to get a decent county job?

Many counties have addressed this issue in a section of their ethics codes that relates to nepotism. Nepotism is favoritism or patronage granted to relatives, especially in business or politics. In many counties, anti-nepotism policies have been adopted in order to prevent the appearance of favoritism in hiring. These policies usually will establish who (by family relationship) can work in the county and where. These policies are generally designed to eliminate the look of impropriety in hiring.

Can anybody contribute money to a local candidate for office?

Generally, yes. Some states and some counties have established strict rules about campaign contributions. These rules usually include a limit on the amount that can be contributed over a certain time period or to a single campaign. In many instances, these rules also require that the candidate, or the candidate's staff, report the source and amount of all campaign funds either to a state or county office. This information is usually available to the public.

A Model Practice for Ethical Conduct and Behavior—Powhatan County, Virginia

When a new Powhatan County, Va. Board of Supervisors took office in 2008, it sought ways to build a cohesive team focused on problem-solving and gaining public trust.

Together, the officials drafted a program called the Rules of Engagement, Commitment to Excellence and Covenant with Staff,

County Administration and Management. It emphasizes a system of safeguards to ensure personal disagreements do not get in the way of policy decisions and a strong code of ethics.

“They viewed it as a way to start fresh and make sure they got along as a team,” said Carolyn Cios, County Administrator, “and to make a real commitment to work together.”

The new board was made up of two incumbents and three first-term members, who hammered out a list of supplemental guidelines. These guidelines, called the Rules of Engagement, were adopted at their first board meeting together. Some of the rules on the list included,

- represent the county as a whole and maintain a professional image,
- show respect for each other and look for honorable intent,
- seek meaningful compromise,
- resolve issues directly and privately, and
- defer action when more information is needed.

The Code of Ethics adopted by the board reaffirmed best practices such as putting loyalty to the county as a whole above personal interest, individuals, districts and particular groups; full disclosure through the Freedom of Information Act; and clarifying the difference between personal opinion and board decisions when responding to the media.

The covenant between the Board of Supervisors and staff recognizes their mutual interdependence, including the acknowledgment that mistakes do occur. “We acknowledge that staff is often confronted with issues of an interpretational nature, and it is our responsibility as a Board to work with staff in reconciling these issues in establishing sound policies,” reads one of the covenant rules.

“We’re a growing locality, and we are growing very quickly,” Cios said. “We have had over 25 percent growth in the last decade. Oftentimes, with a growing locality it is hard to keep up. When we don’t have as much staff as a larger locality might have, we have to wear many different hats. Because of that we have to be a little bit more tolerant of mistakes.”

Standards of conduct adopted by the board included the avoidance of language or gestures that could be considered abusive, conduct off the job that could cast public doubt on the integrity or competence of the county government, creating a positive work environment in public meetings and tolerance of differing viewpoints.

Cios said the board and staff recommits to the program every year, and that the county is “very proud of this.”

“It is something that has really become a part of the way we operate as a government,” she said.

Working as a team with the supplemental rules, she added, has enabled the board to make decisions on matters the previous board tabled indefinitely, including,

- adoption of an innovative wetland buffering program, despite developer scrutiny,
- total agreement regarding more stringent standards for private road construction,
- creation of several citizen committees to work on planning and transportation issues, and
- work on the development of a regional water source in partnership with three other counties.

Cios said the program has created a positive work environment that spills into the community as a whole. Spelling out expectations of excellence, professionalism, and competence in a public document engenders trust among residents in the county’s leadership. Cios said she decided to submit the program to NACo for an Achievement Award after an attorney, who was visiting from another county, heard the board talking about the second-year revisions and additions to the program.

“We were in a closed-door meeting on a very controversial topic, so he got to see us in action,” she said. “He saw the way we dealt with this controversial issue and adopted the rules of engagement and said, ‘You know, this really does work.’”

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