

MILPITAS ETHICS PROGRAM

BEHAVIORAL STANDARDS FOR ELECTED AND APPOINTED OFFICIALS, CITY MANAGEMENT, SENIOR STAFF, AND CANDIDATES FOR PUBLIC OFFICE

INTRODUCTION

The City of Milpitas adopted the *Code of Ethics* to foster public trust and public confidence by promoting and maintaining the highest standards of conduct. The people of Milpitas expect all elected and appointed officials, candidates for public office, City management, and Senior Staff to follow the *Code* and to practice its six core values.

The Code of Ethics describes how City officials and candidates for public office ought to treat citizens and each other. It names six core values and other values which are very closely related to them. Each value is described by an initial set of important character traits and actions visible in people who practice this value. These descriptions are representative of the ethical behaviors associated with this value; they are not a comprehensive listing of all behaviors and traits. As role models, City officials are expected to meet and exceed these basic descriptions.

The Code is meant to guide everyday actions and decision-making. During implementation, workshops will help groups and individuals to develop the skills needed to apply the *Code* to their particular work. To help that effort, the Council approved the *Code of Ethics* together with the attached *Behavioral Standards*. These behavioral standards provide specific examples of everyday actions and decisions which are consistent with the *Code* and examples of behaviors which are not. This list seeks to describe enough positive and negative behaviors that a reasonable person will be able to judge whether their own behavior is consistent with the *Code of Ethics* or needs to be modified.

This information is presented in five columns:

	1 Basic Role Model Behaviors	2 City officials engage in positive behaviors such as:	3 City officials avoid negative behaviors such as:	4 Candidates engage in positive behaviors such as:	5 Candidates avoid negative behaviors such as:
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1. The descriptions of the City's core values from the *Code of Ethics* provide a set of basic role model behaviors to master and exceed.
2. City officials build public trust through positive behaviors like these. They demonstrate core values in best practice.
3. City officials undermine public trust through negative behaviors like these. Officials need to develop skills to overcome the stumbling blocks that cause these behaviors.
4. Candidates for office contribute to public trust through these examples of positive campaign behaviors.
5. Candidates damage public trust and often alienate voters through negative campaign behaviors like these.

MILPITAS ETHICS PROGRAM
MILPITAS CODE OF ETHICS BEHAVIORAL STANDARDS

HONESTY

(INTEGRITY, DEPENDABILITY, TRUTHFULNESS)

As I serve Milpitas, I am honest. I keep my word and lead by example. I base my actions on behalf of the City on the best available information. I go out of my way to build trust, and consider carefully the impact of my actions on public confidence. I maintain integrity at all times and consistently do what I believe is in the best interests of the community.

	1 Basic Role Model Behaviors	2 City officials engage in positive behaviors such as:	3 City officials avoid negative behaviors such as:	4 Candidates engage in positive behaviors such as:	5 Candidates avoid negative behaviors such as:
A	I am honest	▫ Giving complete, factual, unbiased information to the public, co-workers, and the press; ▫ Providing the context and all relevant information so the public can draw accurate conclusions.	▫ Misleading the public; ▫ “Spinning” the truth for the press; ▫ Intentionally leaving out important pieces of information; ▫ Creating a false impression for the public and others.	▫ Emphasizing my views, record, experiences, and personal character; ▫ Presenting myself honestly and sincerely; ▫ Providing factual evidence to support claims about my opponent or myself.	▫ Misrepresenting my opponents’ record; ▫ Spreading lies or half-truths; ▫ Presenting facts about my opponent, but not providing accurate context ▫ Lying to the public about my opponent.
B	I keep my word and lead by example.	▫ Keeping my word, fulfilling my promises, and meeting the deadlines I’ve agreed to; ▫ Being a credible role model for dependability and consistency; ▫ Bringing my actions into alignment with my rhetoric.	▫ Using my City position to advance my private business; ▫ Promising everything, and saying whatever I think the public wants to hear; ▫ Getting staff to do the work I promised; ▫ Taking credit for others’ work.	▫ Understanding that the best predictor of my behavior as a Council member is how I act as a candidate; ▫ Communicating my ethics commitment clearly to volunteers, supporters, and third parties; ▫ Practicing what I preach.	▫ Pretending to care about ethics when in public; ▫ Doing whatever it takes to “win at all costs”; ▫ Running an “anything goes” campaign designed to “crush the competition” and anyone else who gets in my way.
C	I base my actions on behalf of the City on the best available information.	▫ Using credible sources of information to further the public’s interests; ▫ Sharing information freely; ▫ Explaining why I believe my action is ethical and is in the City’s best interests.	▫ Basing my actions on bias, prejudice, assumptions, gossip, and half-truths; ▫ Acting solely on information provided in private by endorsers, cronies, lobbyists, friends, and those representing one side of an issue.	▫ Basing campaign promises on solid research; ▫ Getting the facts from my opponent before I respond to a rumor; ▫ Giving citizens the timely, accurate information they need to be informed voters.	▫ Leaking unreliable, damaging information about my opponents to the press; ▫ Allowing my friends to spread lies, half-truths, and rumors about my opponent, their families, and their policies.

	1 Basic Role Model Behaviors	2 City officials engage in positive behaviors such as:	3 City officials avoid negative behaviors such as:	4 Candidates engage in positive behaviors such as:	5 Candidates avoid negative behaviors such as:
D	I go out of my way to build trust, and carefully consider the impact of my actions on public confidence.	- Reaching closure and clarity at the end of meetings so I know who is responsible for following-up and by when; - Making a habit of discussing how follow-up actions will build public trust; - Doing what I say I'm going to do, and doing it on time; - Advancing the community's good even when no one is watching.	- Concealing, fabricating, overstating, understating, evading, or denying the truth; - Blaming an unpopular decision on someone else even when I've supported it; - Ignoring public comments that disagree with me because I assume I always know best; - Opposing a constructive idea just because someone you dislike proposed it.	- Conducting my campaign openly and publicly, focusing the public's attention on the issues I believe are most important; - Making opportunities to debate and raise important issues for my opponent's response; - Encouraging the public to draw its own conclusions based on evidence.	- Conducting whispering campaigns and spreading rumors to demean my opponent, destroy their reputation, or vilify their family or friends. - Using the new Ethics Code as a political weapon and lodging a spurious ethics charge in the last few days of the race.
E	I maintain integrity at all times.	- Recognizing ethics dilemmas, making solid ethics judgments, and doing the right thing. - Being comfortable discussing the ethics reasons behind my actions; - Showing moral courage and acting ethically despite the cost to me.	- Ignoring ethics issues and avoiding doing the right thing because no one else will know about it anyway; - Blaming my mistakes on someone else, a computer glitch, or an "emergency" that just came up.	- Putting a plan in place for ethical conduct from the beginning of the race; - Making it clear to supporters and third parties what short and long-term action I will take to uphold my commitment to this Code.	- Agreeing to let supporters use subtle deceptions, falsifications, or confidential information to give me an edge over my opponent in a tight or losing race; - Getting angry and getting even when an opponent attacks me.
F	I consistently do what I believe is in the best interests of the Community.	- Working hard to advance the City's mission and goals on behalf of the community; - Taking both the short and the long view to help the City achieve its vision; - Fulfilling my duty to make decisions solely for the community's benefit.	- Consistently advancing only my own career, political, or private interests, or those of my supporters; - Always taking the short-term view, considering only a few stakeholders, and remaining "ethically neutral" on most issues.	- Criticizing the character, record and policies of my opponent which I believe merit such criticism; - Relying on documented facts, and honestly presenting the context the public needs to determine the truth; - Severing my ties with a third-party group that has destroyed my opponent's reputation.	- Conducting my campaign as if I, or my supporters, are exempt from rules of ethics; - Hinting to my supporters that "someone should do something" to discredit my opponent; - Refusing to comment when a third party destroys my opponent's reputation, I feature them prominently at my victory party.

MILPITAS ETHICS PROGRAM
MILPITAS CODE OF ETHICS BEHAVIORAL STANDARDS

RESPECT

(ACTIVE COMMUNICATION, CIVILITY, RESPONSIVE PUBLIC SERVICE)

As I serve Milpitas, I treat everyone with respect and dignity, the way I would want to be treated. I practice patience, courtesy, and civility even when we disagree. I maintain confidentiality, am sensitive about other people's time, and am careful with the public's property. I listen actively, engage in effective two-way communication, and demonstrate responsive public service.

	1 Basic Role Model Behaviors	2 City officials engage in positive behaviors such as:	3 City officials avoid negative behaviors such as:	4 Candidates engage in positive behaviors such as:	5 Candidates avoid negative behaviors such as:
A	I treat everyone with respect and dignity, the way I would want to be treated.	▫ Speaking and acting toward others in ways that invite their participation and value their contributions; ▫ Treating others the way I treat people I hold in high regard.	▫ Presuming bad intentions and ill will, I am negative toward an idea as soon as it comes up; ▫ Dismissing others' ideas without due consideration; ▫ Holding grudges and seeking revenge.	▫ Believing that my opponent deserves respect as a human being, that we have a common goal to serve the public, are on the same team, and may serve on the same Council.	▫ Treating my opponent and his or her family as if they have no feelings; ▫ Harming my opponent's good name and reputation; ▫ Holding my opponent's family up to ridicule among their neighbors.
B	I practice patience, courtesy, and civility even when we disagree.	▫ Being polite and courteous even during a heated disagreement; ▫ Showing by word and deed that I value others' viewpoints; ▫ Honoring people's right to express their opinions by listening carefully and responding thoughtfully.	▫ Getting angry and yelling at someone in a public meeting; ▫ Being cynical and sarcastic, or making a joke at others' expense; ▫ Treating those who disagree with me in a dismissive and condescending manner.	▫ Validating facts; ▫ Dismissing rumors; ▫ Treating my opponent with respect during debates while challenging him or her on character issues and their record where it has relevance to the job we're seeking.	▫ Allowing my supporters to engage in personal attacks, innuendo, and stereotyping about race, age, sexual orientation, religion, etc.; ▫ Breaking the world into "friends" and "enemies" and treating everyone accordingly.
C	I maintain confidentiality.	▫ Using information designated as "confidential" only for its intended purpose; ▫ Being cautious in promising confidentiality because it may conflict with doing public business in the open.	▫ Using confidential public information for my own gain; ▫ Sharing just enough confidential information to impress others with how much I know; ▫ Using private information to advance my career.	▫ Being careful with confidential information in my campaign; ▫ Holding my campaign workers to the same standard; ▫ Being clear on what the public has the right to know.	▫ Directing my consultant to do "whatever it takes" to gather information about my opponent that will discredit him or her; ▫ Agreeing to the consultant's plan to break confidentiality to advance the campaign.

	1 Basic Role Model Behaviors	2 City officials engage in positive behaviors such as:	3 City officials avoid negative behaviors such as:	4 Candidates engage in positive behaviors such as:	5 Candidates avoid negative behaviors such as:
D	I am sensitive about other people's time and careful with the public's property.	Coming to meetings on time, prepared and able to address the issues with confidence.	- Coming to meetings at the last minute; - Distracting others by rustling around to find material I've been sent ahead of time; - Making it clear that I'd rather be somewhere else.	- Complying with city codes regarding placement of campaign signs; - Showing up on time for debates, meetings, and public appearances.	Believing that my candidacy makes me a very important person and that people should understand when I am late or don't show up, or am above the rules.
E	I listen actively, and engage in effective two-way communication.	- Giving the speaker my undivided attention; - Listening and asking questions to understand; - Encouraging dialogue and other effective two-way communication strategies.	- Being concerned only about my response; - Engaging in some other activity while the other person is speaking; - Assuming I know what the other person means without asking questions; - Interrupting before they are finished and asking, "Are you done?"	- Attending to the needs and expressed wishes of potential voters; - Understanding that even as a candidate my responses can help inform citizens and contribute to a stronger city and deeper public trust.	- Thinking only of what I can say to win votes; - Immediately forgetting concerns constituents raised because my only care is that they will remember my name and vote for me.
F	I am responsive and work hard to earn citizen trust.	Having a good work ethic, responding in a timely manner and honoring the commitments I've made.	Abusing the public trust by procrastinating, missing deadlines with no explanation, or by being lazy, and not honoring my promises.	- Being well-versed in the City's issues and needs; - Talking with staff and other experts; - Effectively representing my proposed vision of the City.	- Relying on rhetoric, rather than facts or history; - Engaging in dramatic and negative personal attacks to put myself above my opponents.

**MILPITAS ETHICS PROGRAM MILPITAS ETHICS PROGRAM
MILPITAS CODE OF ETHICS BEHAVIORAL STANDARDS**

FAIRNESS

(DUE PROCESS, IMPARTIALITY, OBJECTIVE JUDGMENT)

As I serve Milpitas, I am fair. I treat everyone equally. I value people's right to know, encourage public input, and listen to all sides. I honor due process. I make impartial decisions, using relevant and consistent criteria, caring for special needs, and giving priority to merit.

	1 Basic Role Model Behaviors	2 City officials engage in positive behaviors such as:	3 City officials avoid negative behaviors such as:	4 Candidates engage in positive behaviors such as:	5 Candidates avoid negative behaviors such as:
A.	I am fair.	▫ Taking time to gather all the facts so I can make the best decisions; ▫ Making sure that I give equal consideration to all sides of an issue.	▫ Jumping to conclusions without understanding the facts or circumstances; ▫ Showing favoritism toward employees or projects; ▫ Satisfying my own agenda for personal gain.	▫ Engaging my opponent on issues of policy, record, and character as long as an objective person would judge these relevant to our future responsibilities.	▫ Presenting a one-sided case against my opponent on a character issue, leaving the false impression that there is no other side or that the other side has "refused to comment" when the other side was never asked.
B	I treat everyone equally.	▫ Treating all civic concerns with the same impartial interest.	▫ Paying more attention to friends' projects; ▫ Making decisions based on the "squeaky wheel gets the grease"; ▫ Seeking favorable press, and avoiding anything that would make me unpopular.	▫ Campaigning the same against all opponents, vigorously raising important issues and encouraging community understanding.	▫ Attacking my opponent, but also damaging their family's name, making it difficult for their spouse and children to go about normal activities.
C	I honor due process and value people's right to know.	▫ Valuing full legal disclosure and transparency in government while respecting confidential information; ▫ Valuing the time set aside for public comment.	▫ Making "back room" decisions; ▫ Promising support before all sides have been heard; ▫ Thinking of public comment as a waste of valuable time.	▫ Releasing all relevant information about my background, acknowledging relevant mistakes I've made, and providing helpful information.	▫ Gathering all the "dirt" we can dig up on my opponents -- true or false, relevant or not; ▫ Leaking the most dramatic, negative information when it can do the most damage.
D	I encourage public input and seek all sides of the story.	▫ Listening to all sides of an issue, without making commitments.	▫ Only listening to the one side represented by people who have supported my election or are close friends or "insiders."	▫ Practicing fairness during my candidacy, giving my time and attention equally to all residents of the City.	▫ Rarely walking the precincts to talk with people; ▫ Only listening to a small group of people I consider influential and powerful.

	1 Basic Role Model Behaviors	2 City officials engage in positive behaviors such as:	3 City officials avoid negative behaviors such as:	4 Candidates engage in positive behaviors such as:	5 Candidates avoid negative behaviors such as:
E	I make impartial decisions, using relevant and consistent criteria.	▫ Making decisions that place priority on citywide interests and approved plans.	▫ Favoring special interest groups, consultants, and those who have worked for the City.	▫ Telling advisors, consultants, supporters, donors, and others that I value their opinions and citizen opinions, but I make my own decisions.	▫ Leaving the impression with people who have endorsed me, donated money, or worked on my campaign that I am their "special friend."
F	I care for special needs and give priority to merit.	▫ Explaining to citizens how my decision responds to special needs, builds quality services, or is merit-related.	▫ Making decisions which are not consistent with precedent; ▫ Making decisions based on whim, impulse, or mood at the moment.	▫ Carefully thinking through my positions and having clear merit-based criteria for making decisions.	▫ Making decisions solely based on who can do the most for me at the moment.

**MILPITAS ETHICS PROGRAM
MILPITAS CODE OF ETHICS BEHAVIORAL STANDARDS**

TEAMWORK

(VALUING DIVERSITY, OPEN-MINDEDNESS, COLLABORATION)

As I serve Milpitas, I emphasize teamwork. I reach out to all individuals and groups, involving them in the process, and partnering with them. I value diversity, seek differing and divergent viewpoints, and ask for and consider all opinions. I recognize that good ideas and better solutions can come from anyone.

	1 Basic Role Model Behaviors	2 City officials engage in positive behaviors such as:	3 City officials avoid negative behaviors such as:	4 Candidates engage in positive behaviors such as:	5 Candidates avoid negative behaviors such as:
A.	I emphasize teamwork.	▫ Supporting team decisions, and being concerned about team success more than individual success; ▫ Dissenting from team decisions in a manner that honors free speech, contributes to public trust and strengthens the team.	▫ Doing whatever I can behind the scenes or in public to undermine the team effort; ▫ Keeping disagreements focused on people rather than issues; ▫ Manipulating systems and processes until things go my way.	▫ Building a strong team as my campaign group works towards a shared goal.	▫ Attacking the person rather than the issues or the record, forgetting that we will be on the same team and in the same city after the election.
B	I reach out to all individuals and groups involving them in the process.	▫ Engaging in active outreach to all segments of the community, seeking their ideas and input, and inviting them to become more active members of the Community.	▫ Stereotyping, pre-judging, and working from my own unchallenged biases and assumptions; ▫ Assuming I know everything and am better than most others.	▫ Working to reach out to all segments of the community, incorporating their needs into my campaign.	▫ Only listening to people whose opinions are similar to mine; ▫ Reaching out only to groups I think can help me, and giving the impression that I've made promises to some.
C	I value partnering and cooperation.	▫ Welcoming others' ideas and striving for synergistic results when considering new projects; ▫ Seeking shared ownership of projects.	▫ Listening to all new ideas as if there is something wrong with them from the very beginning; ▫ Excluding others who have important expertise to share.	▫ Seeking endorsements from organizations and individuals I respect; ▫ Supporting the <i>Ethics Code</i> and program; ▫ Cooperating with other candidates to conduct an ethical race.	▫ Caring only for myself; ▫ Partnering only when I am in charge; ▫ Appearing to cooperate, but manipulating the situation for my own advantage.
D	I value diversity and seek different viewpoints.	▫ Understanding that my limited frame of reference can be expanded by others' experiences and values.	▫ Coming across as autocratic, one-track minded, and confident that I have the only answer.	▫ Welcoming and respecting diverse opinions.	▫ Dismissing diverse opinions; ▫ Thinking that anyone who disagrees with me is an idiot.

	1 Basic Role Model Behaviors	2 City officials engage in positive behaviors such as:	3 City officials avoid negative behaviors such as:	4 Candidates engage in positive behaviors such as:	5 Candidates avoid negative behaviors such as:
E	I ask for and consider all opinions, recognizing that good ideas can come from anywhere.	Actively seeking what others think of an idea, giving them the confidence to offer their best new ideas whether I agree with them or not.	- Giving positive feedback only to those who agree with my pre-determined course of action; - Responding to new and divergent ideas as if they were attacks on me personally.	Listening to the needs of the community and taking them into consideration.	Thinking I have all the answers and am always right.

MILPITAS ETHICS PROGRAM
MILPITAS CODE OF ETHICS BEHAVIORAL STANDARDS

STEWARDSHIP

(ENVIRONMENTAL CONSERVATION, FISCAL RESPONSIBILITY, VISION)

As I serve Milpitas, I foster, protect, and conserve the community's financial, environmental, and cultural resources. I practice fiscal responsibility and preserve natural resources. I respect individual rights and uphold the public trust. I am committed to the long-term stability and growth of the community.

	1 Basic Role Model Behaviors	2 City officials engage in positive behaviors such as:	3 City officials avoid negative behaviors such as:	4 Candidates engage in positive behaviors such as:	5 Candidates avoid negative behaviors such as:
A.	I foster, protect, and conserve the community's financial, environmental, and cultural resources.	▫ Conserving and protecting natural and built resources in a fair manner; ▫ Encouraging diversity and practicing personal conservation.	▫ Engaging in excessive spending without regard to environmental impacts.	▫ Being a role model for the values and behaviors of fiscal responsibility and environmental conservation in personal and professional life; ▫ Attending community events to promote and encourage others.	▫ Not practicing what I profess; ▫ Radically changing my pattern of speaking and acting three months before an election, using my current City position to campaign.
B	I practice fiscal responsibility.	▫ Making sound financial decisions, in line with accepted priorities; ▫ Providing incentives and planning for contingencies and rainy days.	▫ Squandering public money; ▫ Wasting work time; ▫ Allowing undue influence from those who can help my personal wealth or provide me with special favors.	▫ Holding the costs of my campaign to a reasonable level; ▫ Filing reports and statements in a timely fashion.	▫ Hiding campaign expenditures and contributions through other means; ▫ Disregarding FPPC rules and procedures; ▫ Reporting only what I choose to report.
C	I preserve natural resources.	▫ Considering environmental impacts carefully, taking both the short term and the long term view.	▫ Ignoring the environment; ▫ Always choosing the immediate financial gain over the long term interests of the community.	▫ Reducing, recycling, and reusing campaign materials; ▫ Honoring the environment.	▫ Spamming the community with printed and computer-based campaign materials.
D	I respect individual rights and protect the public trust.	▫ Valuing an individual's rights to their home and their property and balancing these with a long-term concern for the City's business.	▫ Always siding with the individual over the community or vice versa.	▫ Studying the issues and basing my position on a balanced perspective; ▫ Respecting my opponent and the community.	▫ Attacking my opponents with no regard for their human rights; ▫ Focusing on the person rather than the issues.

	1 Basic Role Model Behaviors	2 City officials engage in positive behaviors such as:	3 City officials avoid negative behaviors such as:	4 Candidates engage in positive behaviors such as:	5 Candidates avoid negative behaviors such as:
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E	I am committed to the long-term stability and growth of the community.	▫ Considering the interests of all segments of the community in allocating funds and other resources.	▫ Opting for the status-quo; ▫ Never thinking outside the box or displaying any vision in thinking about the future.	▫ Developing a vision for the community inclusive of all segments of the community and communicating that vision effectively to citizens.	▫ Saying anything to get elected; ▫ Promoting a narrowly focused vision based on satisfying special interests.
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MILPITAS ETHICS PROGRAM
MILPITAS CODE OF ETHICS BEHAVIORAL STANDARDS

ACCOUNTABILITY

(RESPONSIBILITY)

As I serve Milpitas, I hold myself to high standards and am accountable to the public, stakeholders and other institutions. I am willing to explain my actions, give and receive criticism, accept consequences, and engage in continuous improvement.

	1 Basic Role Model Behaviors	2 City officials engage in positive behaviors such as:	3 City officials avoid negative behaviors such as:	4 Candidates engage in positive behaviors such as:	5 Candidates avoid negative behaviors such as:
A	I hold myself to high standards.	▫ Honoring my commitments with due diligence; ▫ Taking responsibility for the mistakes of subordinates; ▫ Taking steps to resolve issues for the good of the community.	▫ Rarely attending follow-up meetings; ▫ Lacking commitment for projects that were not my idea; ▫ Setting low standards for myself and minimal standards for my subordinates.	▫ Only making promises I can follow through on and keep; ▫ Being prepared and knowing the issues; ▫ Not initiating unethical attacks; ▫ Responding to attacks in ways to help citizens, rather than to hurt my opponent.	▫ Making promises and never giving them another thought; ▫ Not being informed; ▫ Appearing to support the ethics effort, but believing anything goes, especially in the last week of the race.
B	I am accountable to the public and willing to explain my actions.	▫ Doing my homework; ▫ Being bi-partisan and informed on topics; ▫ Offering clear and concise explanations in the face of public inquiry.	▫ Shifting the blame; ▫ Lying about my real reasons for decisions; ▫ Not being forthcoming with facts; ▫ Being mostly motivated by politics.	▫ Being prompt and accurate with campaign disclosure reports; ▫ Attending the campaign workshop and the post-election assessment session; ▫ Engaging in honest conversation.	▫ Submitting late and inaccurate FPPC reports; ▫ Skipping ethics training sessions and special meetings; ▫ Refusing to engage the public in conversation about my behavior.
C	I give and receive criticism and engage in continuous improvement.	▫ Admitting mistakes; ▫ Being supportive when offering criticism to co-workers; ▫ Taking steps to learn what I need to overcome stumbling blocks.	▫ Creating an environment that makes it clear I don't want to hear bad news or any criticism at all; ▫ Believing I have no need for continuous improvement, but that everyone else does.	▫ Accepting criticism with grace; ▫ Using candor; ▫ Apologizing if warranted; ▫ Choosing not to engage in personal attacks.	▫ Blaming others; ▫ Making excuses to avoid responsibility; ▫ Refusing to admit I did anything wrong; ▫ Learning nothing from the post-election session.
D	I accept responsibility and consequences.	▫ Being humble in admitting my own limitations; ▫ Taking the blame for my mistakes and accepting the consequences.	▫ Taking credit for others' accomplishments and shifting the blame to them when I'm wrong.	▫ Managing my campaign workers, signs and flyers; ▫ Giving an ethical campaign my best effort.	▫ Disregarding commitments; ▫ Acting as if I am exempt from ethical behavior; ▫ Doing only what's right for me.