

## September is PRSA's Ethics Month

# Topic: Is licensing PR practitioners a practical solution?

*Editor's Note: This article is an edited version of a longer conversation held on June 15 among Board of Ethics and Professional Standards (BEPS) members. (See list this page for participants.) BEPS members Patricia A. Grey, APR, and Rick French reviewed the verbatim transcript of the conversation, and their comments are also included. James E. Lukaszewski, ABC, APR, Fellow PRSA, served as moderator.*

**James E. Lukaszewski, ABC, APR, Fellow PRSA:** Licensing the PR profession has been hotly debated over the years. Let's begin this discussion with the arguments against licensing.

**W. Thomas Duke, APR, Fellow PRSA:** Some people feel there would be too much government control with licensing.

**Gabriel Werba, APR, Fellow PRSA:** We should differentiate between licensing and certification. As I see it, the first is mandatory if you want to practice as a professional — e.g., a doctor, an attorney, a dentist — and requires having completed studies of a recognized body of knowledge at an accredited college or university and having passed a demanding state examination. It also requires agreeing to adhere to a specified code of ethical conduct and to be subject to penalties for violating that code.

The second is voluntary. To me, it means that the professional has completed a specialty — e.g., being Board Certified in Investor Relations. PRSA Accreditation in Public Relations (APR) is probably equivalent to certification, except that it is general rather than specific.

**Lukaszewski:** If licensing is too big a reach, for reasons we'll probably talk about, certification is certainly an interesting option to consider beyond the APR.

**Michael G. Cherenon, APR:** We are a First Amendment profession. I don't know how you can regulate somebody for wanting to wage a campaign using op-eds, letters to the editor and letters to their neighbors.

The Million Mom March was started by people passionate about a cause. To tell them, "We know you have this concern about gun control, but you cannot say anything or do anything until you take a test and until you go to the government," we're chilling communication, the foundation of what we do in a democracy.



**Werba:** I don't perceive licensing as a First Amendment issue. Freedom of speech, assembly and expression would not be abridged by licensing. Individuals, groups, corporations and organizations would still be able to express themselves.

Should they wish to retain PR assistance, they could use the services of licensed practitioners with all the assurances as to standards of ethics and competence that a license implies. Or they can use unlicensed practitioners, recognizing the risks attached to them as to the degree of competence. The analogy, stretching it, might be between CPAs and bookkeepers.

**Duke:** If you expand the scope to the entire body of people doing public relations — even if we had PR licensing or PR certification (and this doesn't just include PRSA members) — then if you're a licensed PR practitioner (as opposed to a "mom and pop" [operation] that wants to do their own thing) it puts you in a different league. It binds you to know ethical practices. Organizing and certifying folks outside of our Society will get us to where we could impose sanctions on those who are certified a whole lot quicker.

**Emmanuel Tchividjian:** What would the criteria be for someone to be licensed?

**Linda Welter Cohen, APR:** Whatever the criteria, establishing uniformity state by state is critical yet also difficult and costly to achieve. When it comes down to it, these factors get in the way of licensing happening, no matter how strong the arguments are for it.

**Duke:** Some time ago we came up with a body of knowledge, which we consider to be standard for the PR profession. That's one of the things you need to denote a profession.

**Lukaszewski:** One of the great downsides is that the vast majority of practitioners want to remain free of regulation. It would be difficult to sell licensing.

Any regulatory system is based on a code of behaviors or standards, which, when violated, triggers some kind of sanctioning process.

Clearly, there would have to be some relatively formal listing of behaviors and professional activities that would be prohibited or otherwise regulated carefully. This list would presumably be based on the body of knowledge plus a body of professional experiences. Someone would have to set up a regulatory template. The American Bar Association has model rules for attorneys, and every state has a variation of those rules that all attorneys must adhere to.

**Cherenon:** You wonder if the incidents of unethical behavior are higher in our profession, which is unlicensed, as compared to licensed professionals.

**Werba:** We'll never know until we are licensed. When violations occur, they are reported. Then we could make comparisons.

**Cherenon:** Maybe I'm naïve, but most of the PR people I know are pretty ethical, so I question the need.

For example, are there laws in place that already punish those who are unethical? In our profession, for example, if you lie or you're liable in statements, there are penalties for that. On financial documents, if you're misleading, there are penalties.

**Lukaszewski:** There are laws and rules in society for various purposes, and ethics is really meant to manage those behavioral areas where it's difficult to or isn't necessary to legislate for the general population, or to pre-empt or prevent bad or illegal behavior.

**Tchividjian:** It's going the extra mile, and doing more than the minimums. After all, standards are often the minimum acceptable level of performance.

**Werba:** We've been focusing entirely on ethics, but one of the main purposes of licensing is to ensure competence in order

### The participants (in alphabetical order)



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to practice as a PR professional.

**Duke:** You're exactly right. That's one of the key points — the assurance that there's a minimum level of education, training and competence.

**Werba:** We have to create a task force to see how licensing works in various professions because our profession is different.

We talk about lawyers, doctors and dentists; we are also talking about plumbers and contractors. How do they handle that sort of thing? What are the pitfalls? What can we do to improve it?

**Cohen:** One of the more difficult aspects of setting up criteria for licensing our profession is that it's an art rather than a science, and there are so many gray areas regarding the right and wrong way to practice. This will make it difficult for us, as a profession, to set up those criteria.

**Lukaszewski:** Whether it's dentists or lawyers or any other profession, part of what licensing does is standardize approaches and set norms that people have to learn to be licensed in the first place.

It could have an amazingly positive commercial impact on PR education. It's a negative if it would suddenly crimp a lot

of things that educational institutions are doing right now. Licensing might completely transform PR education.

**Cohen:** The real key here is, what professional PR activities can be standardized?

**Robert D. Frause, APR, Fellow PRSA:** Quite honestly, if somebody else can show me a way we can impose sanctions and other reprimands on unethical practices within the profession without a license, then I'd be glad to get off the licensing horse. But if we want to have sanctioning and some respectability with regard to the practice, we've got to have rules that are more binding than what we've got right now.

**Cohen:** To add to your point, if there were ever a time in the history of public relations to revisit this topic, it's now. Even though it's going to be hard going through the exercise and researching what other organizations did to get to their licensing, now is the time to do it.

**Cherenson:** So what would a licensed PR professional be able to do that an unlicensed PR person couldn't do? Could only a licensed person call a reporter? Could only a licensed person plan a special event? I don't know what a

licensed person would do that any man or woman on the street couldn't do. What would the difference be?

**Werba:** There's nothing to stop individuals from sending op-eds, from writing letters or anything like that. Licensing would apply only to those practitioners who want to identify themselves as licensed practitioners.

**Lukaszewski:** Accreditation is a mild form of voluntary regulation compared to what we're talking about. When we revised the PRSA Member Code of Ethics in 2000, we had conversations with the Society of Professional Journalists. They told us that it took almost 10 years to revise their code and something like less than 10 percent of their membership voted for it. This is controversial.

**Frause:** It took us two years to rewrite the current PRSA Member Code of Ethics. All of us sat on the board for eight years wondering why we couldn't do anything before we said, "This isn't working; let's do something else." That's exactly why we came to the conclusion with regard to the current code.

Education and aspirations are what it's all about. Let's do something positive here and try to educate folks on doing it the right way. Let's not try to slap their

hands. If we have people in our profession and our membership who are saying, "You guys need to take a look at it," then this is the responsible thing for this committee to do.

**Werba:** We'd have to rewrite and broaden the code [to cover] not just what is a practitioner, but what it takes to be a practitioner. What kind of knowledge is required? What kind of experience is required?

It would be a code for the profession as a whole. There could be other practitioners who aren't necessarily licensed, but who work for licensed practitioners, who could still practice, like paralegals.

**Lukaszewski:** For every rule you make, there's a loophole. For every regulation you install, there's an exception.

**Cohen:** I think it is worthwhile for our profession, regardless of what our research indicates, to take us through those steps.

**Cherenson:** I agree. As much as I have concerns, I also think we owe it to the profession to consider all the issues and to have public debate on this. I think it's important we do that.

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## Communicate and lead by example — a shared responsibility



**By Deborah Radman, APR, Fellow PRSA Managing Director Stanton Communications**

Among the clearest messages to come out of the misdeeds and lapses in judgment that have rocked corporate America during the past decade is that the responsibility for ethics can no longer be confined to the boardroom, the general counsel's office or the human resource department. Ethics is increasingly recognized as a core management concern — the responsibility of everyone in the organization. Those of us who don't embrace our role in this area do so at our own peril.

Regardless of where you are in your PR career, you play a part in the ethics of the communications profession. Hopefully, your work environment provides you with adequate, ongoing training and clear, current systems that allow you and your co-workers to adhere to proper and ethical business behaviors. If you're a manager, you need to understand your role. Your job is not what it used to be. Managers have to be much

better at appreciating how decisions impact all stakeholders such as customers, employees, communities and investors. By discussing issues and asking probing questions at all levels in an organization, managers can have a significantly local impact. Staff will pay more attention to ethics when they realize how important it is to their boss.

Don't underestimate the power of mythology. Every company has legends — the account coordinator who met a deadline against great odds, the agency leader who turned down questionable business — that help shape future behavior. By surrounding yourself with people who make courageous ethical decisions, you have an example that guides others.

CEOs are coached daily by magazines, business and academic journals, trainers and ethicists about being moral leaders and good stewards for stakeholders. The basic tenets of that advice, however, apply to all of us, not just the boss. Behaving ethically doesn't just happen. It must be taught early and reinforced. Merely stating a commitment to ethics in a corporate values statement is not enough.

The discussion and study of ethics is also not enough. It's essential that there is

a commitment to ethics in day-to-day business life. In an environment that is increasingly complex and challenging for PR professionals, simply knowing what's right and doing it sounds simplistic and naïve. Yet, knowing what should be done and doing it are the basis of ethical behavior in everyday life, including your workplace. Problems arise if people do not agree on these two basics. One person's definition of ethics may not match another's; and some don't care about behaving ethically.

If you are faced with an ethical dilemma, you have the following resources to consult:

- PRSA's Member Code of Ethics, emphasizing value and code provisions.
- PRSA Chapter ethics officers whose job it is to offer consultation based on the code.
- Liaisons for the PRSA Board of Ethics and Professional Standards if you prefer to take your matter of concern out of your Chapter's jurisdiction.
- A section on the PRSA Web site dedicated to ethics ([www.prsa.org/about/ethics/](http://www.prsa.org/about/ethics/)).
- Wallet-sized cards that review the ethical decision-making process (Chapter ethics officers have these).

### >ethics month commentary

You need to consider a few other characteristics of ethical behavior that, hopefully, were learned at an early age, but bear repeating:

- **Hope:** You need hope and optimism because your employees or co-workers may live on your every word.
- **Honesty:** You need honesty — setting an example in your dealings with others.
- **Humility:** You need to listen, to respect other opinions. Humility is being sensitive to another's needs.
- **Humor:** Don't be uptight. Laugh. It will help you and others keep at ease. It also gives you insight into thoughts and ideas that give perspective when things get tough.

It goes back to people buying into a simple list of values. The buy-in is easy to skip over, but it's probably the most important part. If sincerity can be demonstrated at all levels in an organization; if we can each become personally responsible for good business behavior and if we can ask our employers for an education process that encourages and promotes the reinforcement of proper business behavior, ethics will become a responsibility shared by all. **T**

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**Cohen:** We may come up with a new solution that no one's ever thought of. That's the beauty of going through the process. Perhaps there's a more uniform educational requirement or certification that will be required to practice in the profession. The process will take us to that solution.

**Patricia A. Grey, APR:** I compare public relations to professions such as financial planning and education. These professions require a college degree plus additional certification or licensing that document the person has the skills and knowledge to practice. In both of these professions, professionals use their expertise and knowledge to make judgments about what individuals or organizations need to achieve in the goals they set. Can individuals choose to handle their own finances or teach their own children? Absolutely, but there is high recognition that these professionals have the skills and knowledge to advise and guide as well as provide the

service. So I suggest that PRSA include these types of professions in our research.

**Duke:** The fact is, unless we do these things, we're not a profession. If you go by the formal terms of what is a profession, you have to have a body of knowledge. You have to have a certain level of education and a certain level of competence. We call ourselves a profession, but we're not.

**Lukaszewski:** It could be that the vast majority of PR practitioners would not be covered by licensure, because the average PR firm size is four or fewer people. This would be mostly sole practitioner situations. Maybe those people would be exempt from licensing or simply feel they don't need it.

**Werba:** On the other hand, in a highly competitive market, where you have a lot of those firms competing for business, these smaller firms may like to distinguish themselves and gain a competitive edge by saying "We are licensed."

**Tchividjian:** What is the probability, even if we decided we should not have licensing, that the government may come in and say, "You have to?"

**Lukaszewski:** All it takes is one or two members of Congress to really move the process along. Maybe not all the way, but they could certainly move it along.

**Tchividjian:** In that case, we'd better be prepared, because it's better to self-regulate than to be regulated.

**Cohen:** If we go through this whole process and find this is something we can do, the key is that we establish a uniform set of professional criteria and educational requirements applicable to all PR disciplines or practice areas. If there are a lot of exclusions, how successful are we in ultimately accomplishing what we'd like to accomplish here?

**Duke:** That's right. It has to be uniform.

**Frause:** Before we end the discussion, I'd like to take a vote of who here would favor licensing and those who would not favor it.

**Duke:** Yes, I'm in favor of licensing.

**Tchividjian:** I don't know.

**Cohen:** Do you support researching the possibility?

**Tchividjian:** Absolutely. It's a great idea because it's still a debate whether public relations is a profession or whether it's an art. I think licensing would definitely end that discussion.

**Lukaszewski:** Any surgeon would tell you that surgery is far more an art and skill than a science, but they still need a license.

I would like to see the issues raised because I think there needs to be an understanding of the point Bob is raising — if you really want to have sanctions and put teeth into something, it's going to change pretty much everything. We need to be able to learn what the trade-offs are for doing that. Overall I prefer the aspirational model where we help everyone become his or her own ethics officer rather than to empower a handful of ethics czars who will lord over everyone.

I'm much more interested in Gabe's concept of certification as the next step toward professional credibility beyond Accreditation.

**Cherenson:** As of this moment, I'm against it. But we owe it to the profession to consider looking at it. I think it's our responsibility to study. My mind is open.

**Werba:** I'd like to see licensing of practitioners and certification of specialties as a way of protecting the public from unqualified practitioners, but first I'd like a task force to do some intensive research regarding the effectiveness of the models now being used by various professions.

**Frause:** I'm in favor of it; I'm not afraid to take the test. Actually, it would help me. It would be a key selling point. I like Gabe's point of view about competency. I can live without licensing, but I think it makes good sense for us to do.

**Cohen:** I'm very much in support of licensing and certification. However, realistically, having served on BEPS for 10 years and given a lot of thought to this issue, I'm skeptical that we're going to be able to, as a profession, get to the place that we need to be to make it work. However, I believe we should take the journey and know what the outcome is.

**Rick French:** It's clear from the transcript that a lot of good points were made on both sides of this debate, but, in the end, short of government intervention (which is highly unlikely due to our First Amendment rights), PRSA only has authority of sorts over a small percentage of the profession and I don't see how licensing of everyone else can be done.


I've heard all the arguments for and against it based on how CPAs, attorneys and MDs become board certified or licensed. But in almost all cases those tests are taken straight out of graduate school or shortly thereafter. We would need to adopt the same approach for our profession, grandfather everyone else currently practicing PR and go from there with a clean slate.

Even then, what would the penalty be for practicing the right of advocating one's position without a license? And what about small companies whose CEOs are the spokespersons but don't see themselves as PR professionals? How do we handle them? The ability to license just isn't practical in my opinion.

**Cohen:** This discussion will be continued at the 2006 PRSA International Conference in Salt Lake City. We'll expand the panel to include other PR professionals, ethicists and regulators. It should be an interesting and lively discussion. **T**

For more on this topic, join members of BEPS at the **2006 PRSA International Conference** in Salt Lake City. The workshop, **"Proposed Licensing of U.S. PR Practitioners,"** takes place at 2:30 p.m. on Nov. 13. Please visit [www.prsa.org/conf2006](http://www.prsa.org/conf2006) for all the details.

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**Daniel Quinn Mills, MA, Ph.D.,** is a consultant to major corporations as well as a leadership, strategy and human resources teacher at the Harvard Business School since 1976. Prior to teaching at the Harvard Business School, Mr. Mills taught at MIT's Sloan School of Management and spent several years in Washington D.C. where he helped control inflation during the Vietnam War in the Executive Office of the President. A pioneer in online education, in 2005 he taught the first online course at the Harvard Business School, "How to Lead, How to Live."



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