



STATE OF CONNECTICUT
STATE ETHICS COMMISSION

ADVISORY OPINION NUMBER 83-4

State Vocational Rehabilitation Counselor Working
Part Time as State Community College Student Development Counselor

A counselor in the Division of Vocational Rehabilitation, Department of Education, has asked whether he may also work part time as a student development counselor at one of the State community colleges.

The mission of the Division of Vocational Rehabilitation and the responsibilities of one of its vocational rehabilitation counselors are set forth in Ethics Commission Advisory Opinion No. 80-16, 42 Conn. L.J. No. 15, p. 6 (October 7, 1980). Briefly, a vocational rehabilitation counselor's principal responsibilities are to determine the current and potential capabilities of a handicapped client, plan a vocational adjustment program, arrange services required, and supervise execution of the program to achieve for the client the greatest economic and social satisfaction.

Using similar skills and techniques, a development counselor at a State community college evaluates the capabilities and goals of students and assists them to progress toward self fulfillment and responsible personal and social growth.

In Advisory Opinion No. 80-16 the Ethics Commission concluded that a vocational rehabilitation counselor who formed a private corporation to assist in the rehabilitation of disabled individuals referred to the corporation by insurance companies would encounter numerous conflicts of interest and risk violating several provisions of the Code of Ethics for Public Officials, Chapter 10, Part I, General Statutes. The situation here is clearly distinguishable. The individual would be assisting different clientele in his two counselling positions. Further, both his positions are with the State. Consequently, there are fewer opportunities for conflicts of interest than when one position is in the public and one in the private sector. It is more a personnel problem, governed by provisions such as section 5-208a, General Statutes rather than by the Code of Ethics.

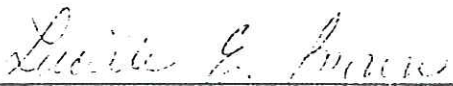
Other than the fact that the two positions utilize similar training and experience, there is little interrelationship between them. It is unlikely that any confidential information

gained in one can be used to the counselor's financial advantage in the other. See subsections 1-84(b), 1-84(c), General Statutes. On the other hand, information generally available to the public and useful to the counselor in one position may help him serve the State better in the other. A broader knowledge of educational affairs and resources can make him a more effective vocational rehabilitation counselor. As a student development counselor he may identify persons who would be benefitted by a vocational rehabilitation program. Service in one position should not impair the counselor's independence of judgment in the other. See subsection 1-84(b), General Statutes.

The two positions seem to support each other, rather than conflict, and do not have the relationship between them which would make them incompatible because of "the contrariety and antagonism which would result in the attempt by one person to faithfully and impartially discharge the duties of one, toward the incumbent of the other." State ex rel. Schenck v. Barrett, 121 Conn. 237, 242, (1936) (citations omitted).

In short, nothing in the Code of Ethics for Public Officials or similar ethical standards for preventing conflicts of interests seems to prevent a vocational rehabilitation counselor from working part time as a student development counselor in a community college. The Ethics Commission, of course, takes no stand on the application of personnel statutes and policies to the situation, or the effect of pertinent policies, if any, of the two State departments in which the counselor serves.

By order of the Commission,



Lucille E. Brown, Chairperson

Dated 1 March 1953