



STATE OF CONNECTICUT
STATE ETHICS COMMISSION

98-10

August 24, 1998

PRESS RELEASE

On July 10, 1998, Ethics Commission Principal Attorney Brenda M. Bergeron filed a Complaint against Andrew De Rocco, the Commissioner of Higher Education, alleging that Dr. De Rocco accepted honoraria for participation in events while on state time and also that Dr. De Rocco failed to list honoraria in excess of \$1000 on his annual Statement of Financial Interests. State ethics law prohibits the acceptance of a fee or honorarium for attendance at an event in one's official capacity, but allows a state official who is asked to participate in an event as a result of his personal expertise to accept an honorarium provided that the official does not attend the event on state time.

On August 24, 1998, the Ethics Commission and Dr. De Rocco settled this matter by entering into a Stipulation and Order which requires Dr. De Rocco to return the honoraria (totaling \$3500) to their source, and, for the failure to report the honoraria on his Statement of Financial Interests for 1997, to pay a \$1000 civil penalty.

Copies of the Complaint and Stipulation and Order are attached.

FOR MORE INFORMATION CALL:

Alan S. Plofsky
Executive Director and General Counsel

or

Brenda M. Bergeron
Principal Attorney

566-4472



STATE OF CONNECTICUT
STATE ETHICS COMMISSION

DOCKET NUMBER 98-10

STATE ETHICS COMMISSION

IN THE MATTER OF A

20 TRINITY STREET

COMPLAINT AGAINST

HARTFORD, CT 06106

ANDREW DE ROCCO

AUGUST 24, 1998

STIPULATION AND ORDER

Pursuant to Connecticut General Statutes §4-177(c), the State Ethics Commission and the Respondent agree to settle this matter in the manner described below:

1. The Commission finds that the Respondent unintentionally violated the Code of Ethics for Public Officials as alleged in the Complaint dated July 10, 1998.

2. The Respondent and the Board of Governors of Higher Education state that they mistakenly believed that the Respondent could accept fees or honoraria for participation at the events in question and also use state time to attend these events.

3. The Respondent waives any rights he may have under Conn. Gen. Stat. §§1-82, 1-82a, 1-87 and 1-80, including any right to a hearing or appeal in this case, and agrees with the Commission to an informal disposition of this matter as authorized by Conn. Gen. Stat. §4-177(c).

WHEREFORE, the State Ethics Commission enters and the Respondent agrees to the following order in lieu of any other action regarding this matter:

For Count One of the Complaint, the Commission directs the Respondent to return the honoraria, described in the Complaint, to their source. For Count Two of the Complaint, the Commission assesses a penalty of \$1000. The Respondent agrees to make these payments within thirty days of the signing of this Stipulation and Order, and henceforth to comply with the Code of the Ethics.

Andrew M. De Rocco
Respondent, Andrew De Rocco

18.11X 98

Date

8-24-98

Date

State Ethics Commission
By: Its Chairperson



STATE OF CONNECTICUT
STATE ETHICS COMMISSION

CONFIDENTIAL

DOCKET NUMBER 98-10

STATE ETHICS COMMISSION

IN THE MATTER OF A

20 TRINITY STREET

COMPLAINT AGAINST

HARTFORD, CT 06106

ANDREW DE ROCCO

JULY 10, 1998

COMPLAINT

COUNT ONE

1. At all times relevant herein, the Respondent was a state employee as that term is used in the Code of Ethics for Public Officials, Conn. Gen. Stat. §1-79 et seq., serving as Commissioner of Higher Education.
2. Connecticut General Statutes §1-84(k) prohibits, among other things, a state employee from accepting a fee or honorarium for an appearance or speech, or for participation at an event, in his official capacity.
3. Connecticut General Statutes §1-84(c) prohibits, among other things, a state employee from using his public office or position to obtain financial gain for himself.
4. As Commissioner of Higher Education, the Respondent is entitled to 22 workdays of vacation annually. These vacation days have a monetary value.
5. On at least four occasions in 1996 and 1997, the Respondent attended an Educational Leadership Program out of state, using state time to attend the event and accepting an honorarium for participation.
6. The Respondent accepted at least \$1000 in honoraria in 1996 and at least \$2500 in honoraria in 1997.
7. If the Respondent attended the events in his official capacity, acceptance of the honoraria violated Conn. Gen. Stat. §1-84(k).

8. If the Respondent did not attend the events in his official capacity, but rather was invited to participate as a result of his personal expertise, then he could accept the honoraria, but should have used vacation time. His failure to use vacation time under these circumstances is a violation of Conn. Gen. Stat. §1-84(c).

9. The Respondent's acceptance of honoraria for participation in events while on state time therefore violates Conn. Gen. Stat. §§1-84(k) and/or 1-84(c).

COUNT TWO

1. At all times relevant herein, the Respondent was a state employee as that term is used in the Code of Ethics for Public Officials, Conn. Gen. Stat. §1-79 et seq., serving as the Commissioner of Higher Education.

2. Connecticut General Statutes §1-83 requires certain state employees and public officials to file annual Statements of Financial Interests.

3. At all times relevant herein, the Respondent filed a Statement of Financial Interests.

4. Connecticut General Statutes §1-83(b)(1)(B) requires the Statement of Financial Interests to include the category or type of all sources of income in excess of one thousand dollars. The form provides for reporting of categories of both earned and unearned income.

5. The Respondent failed to list the fees and/or honoraria received by him on his Statements of Financial Interests, in violation of Conn. Gen. Stat. §1-83.



Brenda M. Bergeron
Ethics Commission Attorney

7-10-98

Dated

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