

# **Code of Professional Ethics for Certified Vocational Evaluation Specialists, Certified Work Adjustment Specialists, and Certified Career Assessment Associates**

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## PREAMBLE

The Commission on Rehabilitation Counselor Certification (CRCC) maintains certification for Vocational Evaluation Specialists, Work Adjustment Specialists, and Career Assessment Associates, hereinafter referred to as Vocational Assessment Professionals. CRCC is committed to promoting ethical and professional standards of practice for Vocational Assessment Professionals.

Using a holistic approach, Vocational Assessment Professionals assist individuals in the identification of vocational goals and recommendations as well as the transition to and attainment of vocational goals. Vocational Assessment Professionals work in a variety of settings and serve in multiple capacities. They recognize diversity and embrace a cross-cultural approach in support of the worth, dignity, potential, and uniqueness of individuals and their environment.

Vocational Assessment Professionals provide, utilize, and/or incorporate vocational information and services in order to measure, observe, and document an individual's interests, values, temperaments, work-related behaviors, aptitudes, skills, physical capacities, learning style, training needs, and employment needs. They may be called upon to provide a variety of services and they are obligated to do so in a professional manner that is consistent with their education, formal training, and applicable work experience. In providing services, it is essential that Vocational Assessment Professionals demonstrate adherence to ethical standards and ensure that the standards are enforced.

Vocational Assessment Professionals are committed to strengthen their competencies through continuous learning, skills development, and application of new knowledge and contribute to the body of knowledge, the evolution of the profession, and the growth of individuals through teaching, research, and dissemination of knowledge.

The Guiding Principles, which follow the Preamble, form the basis of best practices in vocational evaluation and assessment. The primary obligation of Vocational Assessment Professionals is to their clients, defined as individuals, with or without disabilities, who are engaged in the vocational assessment and evaluation process. Vocational Assessment Professionals respect the integrity and

protect the welfare of their clients while maintaining objectivity in the assessment process.

The objective of the Code of Professional Ethics for Vocational Assessment Professionals is to establish a framework for professional behavior, responsibilities, and expectations applicable to the discipline, define acceptable behaviors, provide a benchmark for self-evaluation, and promote high levels of professional conduct. The Enforceable Standards serve as the basis for the processing of ethical complaints and inquiries initiated against certificants.

### Guiding Principles

Two complementary sets of principles (as follows) serve to guide the conduct and actions of Vocational Assessment Professionals. Based on a fundamental spirit of respect and caring, five principles provide a framework to guide ethical behavior based on a humanistic and holistic approach to vocational assessment. Seven additional principles form the guide to best practices across settings. The principles do not represent obligations or ethical standards that form the basis for imposing sanctions. The twelve principles outlined below are aspirational in nature with the intent to serve as a guide and to inspire Vocational Assessment Professionals to the highest ethical and best practice ideals of the profession.

### Ethical Principles

#### **1. Respect for Dignity, Rights, and Autonomy**

Vocational Assessment Professionals respect the dignity and worth of all people and the rights to privacy, confidentiality, and autonomous decision-making (self-determination).

#### **2. Beneficence**

Vocational Assessment Professionals strive to engage in actions that are beneficial and contribute to the welfare of others; helping others and promoting good.

#### **3. Nonmaleficence**

Vocational Assessment Professionals have an obligation to do no harm, refrain from harm, and/or protect clients from harm; avoiding and/or removing conditions that could be harmful to a person's liberty, personal/psychological well-being.

#### **4. Justice**

Vocational Assessment Professionals promote fairness and justice in the access to and benefit from assessment services. Vocational Assessment Professionals are committed to the fair and equitable treatment of all clients in the quality of the process, procedures, and services conducted. Vocational Assessment Professionals exercise reasonable judgment and take precautions to ensure their potential biases, boundaries of professional competence, and limitations of their expertise do not lead to or condone unjust practices.

#### **5. Fidelity & Responsibility**

Vocational Assessment Professionals strive to be honest, loyal, and honor promises or commitments made and/or expectations that were legitimately engendered. Vocational Assessment Professionals uphold professional standards of conduct, clarify their professional roles and obligations, accept appropriate responsibility for their behavior, and seek to manage conflicts of interest that lead to exploitation or harm.

Kitchener, K. S. (1984). Intuition, critical evaluation and ethical principles: The foundation for ethical decisions in counseling psychology. *The Counseling Psychologist, 12*(3), 43–55.

#### **Best Practice Principles**

1. A variety of methods, tools, and approaches should be used to provide accurate vocational evaluation and assessments. A broad range of questions must be posed to determine what makes an individual, as well as his/her abilities and needs, unique. Separating an individual's attributes into categories, such as interest, aptitude, or learning style preferences, helps organize assessment.
2. Vocational evaluation and assessment information should be verified using different methods, tools, and approaches. Using alternative methods or approaches to validate findings can usually be achieved by:
  - a. observing an individual's demonstrated or manifested behaviors, such as performances on actual work,
  - b. using an individual's self-report or expressed statements, and/or
3. Behavioral observation is essential in any vocational assessment process. Behavioral observation (e.g., observing physical performance, social characteristics, interactions with people and other aspects of the environment) occurs throughout the assessment process. The observation process can be:
  - a. informal or formal,
  - b. occur in a variety of environments,
  - c. made by a variety of people, and
  - d. should be documented and presented in an objective, unbiased manner.
4. Vocational evaluation and assessment may be an ongoing and developmental process in career development. However, individuals, especially those with disabilities, may need evaluations/assessments of varying degrees given at different junctures over their career life span.
5. Vocational evaluation and assessment should be an integral part of larger service delivery systems. Vocational evaluation and assessment should be the basis for planning needed services, resources, and support. Therefore, it can be an integral part of the total service delivery system. Vocational evaluation and assessment information should be interpreted and conveyed to the individual being assessed as well as others within the system.
6. Vocational evaluation and assessment requires the collection of input from a variety of individuals and requires an understanding of how to use the results of the assessment process. An interdisciplinary team approach allows for the effective use of information that can be translated into effective planning, implementation activities (e.g., placements, support service, counseling), and fulfilled vocational development for the individual.
7. Vocational evaluation and assessment should be current, valid, and relevant. Vocational evaluation and assessment is grounded in career, vocational, and work contexts.

Smith, F., Lombard R., Neubert D., Leconte, P., Rothenbacher, C., & Sitlington, P. (1994). The position statement of the Interdisciplinary Council on Vocational Evaluation and Assessment Fall 1993. *The Journal for Vocational Special Needs Education*, 17 (1), 41-42.

## ENFORCEABLE STANDARDS OF ETHICAL PRACTICE

### **Section A: Professional-Client Relationships**

Vocational Assessment Professionals shall respect the dignity and worth of all individuals with whom they work. The primary ethical obligation of Vocational Assessment Professionals is to their clients, or those persons who are directly receiving their services. Vocational Assessment Professionals will endeavor at all times to protect each client's welfare and to place the client's interests above their own.

#### **A.1. Boundaries of Service**

Vocational Assessment Professionals will clearly inform their clients of the nature, purpose, goals, expected outcomes, and limitations of the services to be rendered as well as to whom and for what purposes the results of those services will be communicated.

#### **A.2. Client Choice**

Vocational Assessment Professionals will recognize the client's right to make choices. When working with minors or other persons who are unable to give voluntary, informed consent, the Vocational Assessment Professional will protect the client's best interests.

#### **A.3. Client Welfare**

Vocational Assessment Professionals will be aware of the client's safety and welfare at all times while a client is under their supervision. This awareness begins with the Vocational Assessment Professional's own needs, values, and position of influence in relation to the client. Vocational Assessment Professionals will not exploit the trust

and dependency manifested in clients or their families, and will avoid any economic, physical, psychological, or sexual abuse or impropriety in dealing with clients and their families.

#### **A.4. Nondiscrimination**

Vocational Assessment Professionals will not condone practices that result in illegal or otherwise unjustified discrimination on the basis of age, color, culture, disability, nationality, ethnic group, gender, race, language preference, religion, spirituality, sexual orientation, marital status, and socioeconomic status.

#### **A.5. Professional/Personal Relationships**

Vocational Assessment Professionals will make every effort possible to avoid developing dual relationships with clients that could affect professional judgment and/or increase the risk of exploitation. Examples would include, but are not limited to, professional-client relationships with employees, students, close friends, relatives, or research subjects.

#### **A.6. Working Relationships**

Vocational Assessment Professionals will take responsibility for establishing positive relationships with their clients in order to obtain optimum results from the services provided, based on the best efforts of both the Vocational Assessment Professional and the client. Vocational Assessment Professionals are obliged to set a tone for the working relationship that will ensure clients are not made to feel inferior or uncertain about their role in the process.

#### **A.7. Third-Party Relationships**

Vocational Assessment Professionals who provide their services at the request of a third party will clarify the nature of their contributions and responsibilities to all involved. They will ensure that all parties are aware of the nature, scope, and duration of the services to be provided, the goals and expected outcomes, and to whom and how such outcomes will be communicated. When serving as case consultants or expert witnesses, Vocational Assessment Professionals are obliged to provide unbiased, objective opinions.

#### **A.8. Protection of Client Interest**

Vocational Assessment Professionals will support and protect their clients in conflicts between the client's interests and the welfare of the community, the client's family, or the organization with which the Vocational Assessment Professional is associated, unless there is immediate danger to other individuals or the client's behavior is perceived to be illegal or not in their own best interests.

#### **A.9. Respect for Privacy**

Vocational Assessment Professionals will respect their client's privacy and will solicit private information only when it is beneficial and/or necessary in the provision of services.

#### **A.10. Cultural Diversity**

Vocational Assessment Professionals are responsible for being aware of and sensitive to cultural differences of clients from different backgrounds. Vocational Assessment Professionals are responsible for being cognizant of diversity issues relative to the cultural and ethnic backgrounds of clients whom they serve. They will be respectful of varying cultural views so as to provide fair, effective, and unbiased service delivery to all clients.

#### **A.11. Sexual Relationships**

Vocational Assessment Professionals shall not engage in sexual or romantic relationships with current clients. Sexual or romantic relationships with former clients are prohibited for five years following the last professional contact of any kind. Before engaging in sexual or romantic relationships with former clients after the five-year period, the Vocational Assessment Professional is responsible for ensuring that the relationship is not harmful, coercive, or exploitive in any manner.

#### **A.12. Communication of Information**

Vocational Assessment Professionals shall communicate information in a manner that is both developmentally and culturally appropriate. When clients have difficulty understanding the

language used by the professional, the Vocational Assessment Professional will provide necessary services to ensure comprehension by the client. This may include interpreters, translators, and/or use of assistive technology.

#### **A.13. Universal Design**

Vocational evaluation and assessment professionals support the principles of universal design for learning. The use of multiple techniques and tools that are accessible and appropriate for individuals from varied backgrounds, learning styles, and abilities aid in the reduction and/or elimination of barriers to full engagement, learning, and self-discovery in the vocational evaluation and assessment process.

### **Section B: Confidentiality**

Vocational Assessment Professionals aspire to establish and uphold appropriate boundaries, respect privacy, and maintain confidentiality. Considering the developmental and/or cultural context of the client, Vocational Assessment Professionals clearly and competently communicate the parameters of confidentiality prior to engaging in any assessment activities.

#### **B.1. Confidentiality**

Vocational Assessment Professionals shall respect the confidentiality of client information and take reasonable precautions to protect confidential information obtained through the course of their work. Vocational Assessment Professionals will inform and discuss with clients, at the onset of services, the confidential nature of the relationship and of any limits or potential limitations such as but not limited to:

**a. Information Shared with Others.** Discussions with team members and supervisors and/or consultation with other Vocational Assessment Professionals for the purposes of providing effective services.

**b. Legal Requirements and Disclosure.** Legal regulations such as reporting risk of neglect or abuse of children, response to subpoena or

court order, investigation or complaint by legal body, and disclosure of contagious and fatal diseases.

- c. Client or Public Safety.** Actions taken by the professional to prevent clear, serious, and imminent harm to self or others.
- d. Third-Party Services.** Conditions of services contracted and paid for by third parties.
- e. Safeguarding Records.** Take whatever measures necessary to protect and safeguard the dissemination, maintenance, storage, and disposal of client information and records in ways that protect confidentiality including the use of computer technology and other electronic communication.
- f. Limitations of Electronic Communications.** Inform clients of the risks to privacy and limits of confidentiality when offering services, products, or information via electronic transmission. Notify clients of their intent to utilize electronic communication such as email as a medium to manage client information, seek to assess that clients have understood the implications of this communication method, and obtain consent from the client to use this type of communication method.
- g. Written Release of Information.** Unless a court of law compels disclosure, will not consult with or release confidential information to other Vocational Assessment Professionals, employers, or rehabilitation team members without the written permission of the client, the client's legal guardian, or referral source.
- h. Minimal Disclosure.** In disclosing information, provide only germane information necessary to enable the recipient of the information to assist that client and will make every effort to avoid undue invasions of privacy.
- i. Cooperating Agencies.** Instruct recipients of client information about confidentiality standards to be observed and ensure that other agencies with which information is shared have policies to protect confidentiality.
- j. Confidential Information for Didactic or Other Purposes.** Ensure that client information used in research, position papers, lectures,

or other public media adequately protect the confidentiality of clients.

- k. Recorded Interactions (Video, Audio, and/or Photographs).** Obtain written permission from the client/guardian or the client's representative prior to any video/audio taping and/or photographing of their interview session or any interaction they may have with the client.
- l. Client Access.** Recognize that clients have reasonable access to records concerning them. However, in some instances, a third party such as an insurance company, workers' compensation board, or lawyer may request services such as assessment, review of files, or expert testimony and as such may also be considered the client. The Vocational Assessment Professional who has a direct relationship with the client has an obligation to inform the individual of the relationships with the third party, including the nature and purposes of the service, and any limitations relative to consent, confidentiality, and access to records. The Vocational Assessment Professional will avoid doing harm and, to the extent possible, continue to serve the best interests of the individual engaged in the assessment process.

## B.2. Informed Consent

Vocational Assessment Professionals will honor the rights of clients and/or their guardian or legal representative of service to give fully informed and specific consent to their participation and to withdraw that consent in writing when they wish. Further, Vocational Assessment Professionals will inform clients of any applicable third-party restrictions on these rights. This responsibility includes a clear description of what the client can expect in the way of tests, reports, access to records, billing, assessment relationship and schedules, and the use of the Vocational Assessment Professionals' statement of professional role disclosure. See sample disclosure letter available in the Addenda section of this Code.

## B.3. Privacy

Vocational Assessment Professionals will respect the right to privacy of clients of service about whom information is obtained in the course of one's professional activities, and avoid unwarranted or

illegal disclosures of information that is provided with the exception of confidentiality.

- a. Respect for Privacy.** Respect the privacy of clients by soliciting only that personal information that is relevant to providing quality evaluation/assessment services.
- b. Legal Requirements.** Comply with jurisdictional laws regarding freedom of information and protection of privacy.

#### **c. Electronic Communication**

- i. Ethical Standards.** Vocational Assessment Professionals will be held to the same level of expected ethical behavior concerning privacy and confidentiality of information regardless of the form of communication, e.g., cellular phones, electronic mail (email), facsimile (fax), video, or any and all other audio-visual media.
- ii. Copyrighted Documents.** Vocational Assessment Professionals will not use electronic communications to send copies of copyrighted documents if such a transmission would be in violation of copyright laws.
- iii. Access.** Attempting unauthorized access to data, attempting to breach any security measures on an electronic communication system, or attempting to intercept any electronic communication transmissions without proper authorization will represent a breach of acceptable behavior by Vocational Assessment Professionals.

### **Section C: Professional Responsibility and Competence**

Vocational Assessment Professionals aspire to open, honest, and accurate communication and practice in a nondiscriminatory manner within the boundaries of professional and personal competence. Vocational Assessment Professionals have a responsibility to abide by the Code of Professional Ethics for Vocational Assessment Professionals.

#### **C.1. Knowledge of Standards**

Vocational Assessment Professionals have a responsibility to read, understand, and follow the Code of Professional Ethics for Vocational Assessment Professionals and adhere to applicable laws and regulations.

#### **C.2. Professional Competency**

- a. Boundaries of Competence.** Vocational Assessment Professionals shall provide services to clients that demonstrate competence of critical knowledge and performance areas, as supported by CRCC, and ensure that all services are necessary and appropriate. Vocational Assessment Professionals practice only within the boundaries of their competence, based on their education, training, supervised experience, geographical region/jurisdiction, national credentials, and appropriate professional experience. Vocational Assessment Professionals will not misrepresent their role or competence to clients.
- b. Respect for Diversity.** Vocational Assessment Professionals will demonstrate a commitment to gain current knowledge, personal awareness, sensitivity, and skills to provide competent services to the diverse and/or special client populations with whom they work.
- c. Adequacy of Services.** Vocational Assessment Professionals will ensure that the length of service and ratio of client-to-professional are sufficient to allow for a thorough consideration of all essential questions and referral requests.
- d. Administrative Roles.** Vocational Assessment Professionals who are administrators/supervisors of their service units will ensure that all services are provided in a legal and ethical manner, with an emphasis on appropriate lengths of service, staff-to-client ratios, and availability of instruments/techniques needed to bring about optimum vocational development or decision-making on the part of the client.
- e. Educational Roles.** Vocational Assessment Professionals who function as educators of other professionals will ensure that the program materials, catalogue descriptions, course

outlines, and materials as well as the number and quality of courses and field experiences are representative of state-of-the-art practices and procedures, and sufficient to train students to function competently as professionals.

**f. Instrument Development and Marketing.**

Vocational Assessment Professionals who are developers and/or marketers of assessment instruments and techniques will ensure that their products are statistically sound; that limitations in use (e.g., appropriate/inappropriate populations) are declared; that adequate documentation (e.g., statistical analysis norms and norm groups, administration and scoring procedures, interpretive information) is included in any manuals; that training and support are available when needed; that marketing and presentation materials accurately explain the purpose and intended use of the product; and that the instrument/technique is not being misrepresented or sold in a manner inconsistent with governing laws or regulations (e.g., kickbacks, gifts in exchange for purchase).

**g. Impairment.** Vocational Assessment

Professionals will refrain from offering or rendering professional services when their physical, mental, or emotional problems are likely to harm a client or others. They will seek assistance for problems, and, if necessary, will limit, suspend, or terminate their professional responsibilities for the duration of the impairment, as applicable.

**h. Delegation of Work to Others.** Vocational

Assessment Professionals who delegate work to employees, supervisees, research or teaching assistants, or who use the services of others such as interpreters, take reasonable steps to (1) avoid delegating work to persons who have multiple relationships with those clients being served that would likely lead to exploitation or loss of objectivity; (2) authorize only those responsibilities that such persons can be expected to perform competently on the basis of their education, training, or experience, either independently or with the level of supervision being provided; and (3) see that such persons perform these services competently.

**i. Maintaining Competence.** Vocational

Assessment Professionals will take steps to maintain competence in the skills they use, will remain current with generally accepted and applicable standards of practice within the profession, will be open to exploring new and emerging techniques, seek consultation if deemed necessary, and develop and maintain competence for practice with the diverse and/or special populations with whom they work in order to provide the highest quality of services within their abilities.

### C.3. Continuing Education

**a. Credentials.** Vocational Assessment

Professionals will meet the required hours of continuing education within the specified time frame necessary to maintain professional certification and/or licensure.

**b. Maintaining Competence.** Vocational

Assessment Professionals will engage in continuing education to a reasonable level of awareness of current theoretical or scientific information in their field of practice.

## **Section D: Evaluation, Assessment, and Interpretation**

Vocational Assessment Professionals shall provide quality vocational evaluation and assessment services through the use of valid and reliable assessment tools and techniques. Vocational evaluation and assessment services should be provided in a manner consistent with the best practice principles of the profession.

### D.1. Validity and Reliability

Vocational Assessment Professionals shall ensure that the evaluation, assessment, and interpretation process is valid and reliable. Observation and/or measurement of interest, values, temperament, learning style, ability, aptitude, personality, and performance are assessed using a variety of techniques that may include standardized tests, work samples, and/or situational assessments in simulated and/or real work environments.

## D.2. Informed Consent

**a. Explanation to Clients.** Prior to assessment, Vocational Assessment Professionals explain the nature and purpose of the assessment and the specific uses of the assessment results by potential recipients. The explanation will be provided in a language the client (or other legally authorized person on behalf of the client) can understand. Vocational Assessment Professionals should consider the client's personal or cultural context, the level of the client's understanding of the results, and the impact of the results on the client.

**b. Recipients of Results.** Vocational Assessment Professionals should consider the client's welfare, explicit understanding, and prior agreements in determining who receives the assessment results. Vocational Assessment Professionals include accurate and appropriate interpretations with any release of assessment results.

## D.3. Release of Information to Competent Professionals

**a. Misuse of Results.** Vocational Assessment Professionals will not misuse assessment results and interpretations, and will take reasonable steps to prevent others from misusing the information. Vocational Assessment Professionals will respect the client's right to know the results, the interpretations made, and the basis for the professional's conclusions and recommendations.

**b. Release of Raw Data.** Vocational Assessment Professionals will ordinarily release data (e.g., protocols, interview notes, or questionnaires) in which the client is identified only with the consent of the client or the client's legal representatives. Appropriate requests for release of assessment data will result in an interpreted version of the assessment data. Raw test data will be released only to persons recognized to possess the professional competencies to interpret the data and who have established procedures to protect the privacy and confidentiality of test materials. In the absence of a signed written release of information, Vocational Assessment Professionals will provide assessment data only as required by law or court order.

## D.4. Research and Training

**a. Data Disguise Required.** Use of data derived from vocational evaluations for purposes of training, research, or publication will be confined to content that is disguised to ensure the anonymity of the individuals involved.

**b. Agreement for Identification.** The identification of a client in a presentation or publication will be permissible only when the client has agreed in writing to its presentation or publication.

## D.5. Competence to Use and Interpret Assessment Instruments

**a. Limits of Competence.** Vocational Assessment Professionals should utilize tests and assessment instruments for which they have been trained and are competent to administer and interpret. Vocational Assessment Professionals will meet the publishers stated qualifications for administering and interpreting specific instruments. Vocational Assessment Professionals using technology-assisted test interpretations should be trained in the construct being measured and the specific instrument being used prior to using its technology-based application. Vocational Assessment Professionals will take reasonable measures to ensure the proper use of assessment techniques and tools by persons under their supervision.

**b. Appropriate Use.** Vocational Assessment Professionals are responsible for the appropriate administration, scoring, interpretation, and use of assessment instruments relevant to the needs of the client, whether they score and interpret such assessments themselves or by other persons under their supervision.

**c. Decisions Based on Result.** Vocational Assessment Professionals will be responsible for decisions involving individuals or policies that are based on assessment results and will have a thorough understanding of career assessment measurements, including validation criteria, test research, and guidelines for test development and use.

**d. Accurate Information.** Vocational Assessment Professionals will provide accurate information and avoid false claims or misconceptions when

making statements about assessment instruments or techniques.

#### **D.6. Assessment Techniques and/or Instrument Selection**

- a. Appropriateness of Instruments.** Vocational Assessment Professionals should carefully consider the validity, reliability, and appropriateness of selected assessment instruments and techniques. When such validity or reliability has not been established, Vocational Assessment Professionals will describe the strengths and limitations of the results and interpretation.
- b. Culturally Diverse Populations.** Vocational Assessment Professionals should be cautious when selecting assessment tools for culturally diverse populations to avoid inappropriate and/or discriminatory assessment techniques.
- c. Norm Divergence.** Vocational Assessment Professionals use caution in the selection, administration, scoring, and interpretation of any assessment techniques where the client population is not represented in the norm group on which an instrument was standardized. Comparisons and/or interpretation of assessment techniques that are based on the use of divergent norms will disclose such information and describe the implications of use on the results and interpretation.

#### **D.7. Conditions of Assessment Administration**

- a. Administration Conditions.** Vocational Assessment Professionals will administer standardized instruments under the same conditions that were established in the standardization. When it is not appropriate to administer under standard conditions, such as may be necessary to accommodate modifications for clients with disabilities or when unusual behavior or irregularities occur during the assessment, those conditions will be noted in the interpretation.
- b. Computer Administration.** When computer or other electronic methods are used for assessment, Vocational Assessment Professionals will be

responsible for ensuring that programs function properly to provide clients with accurate results.

- c. Unsupervised Test-Taking.** Vocational Assessment Professionals will not permit unsupervised or inadequately supervised use of tests or assessments unless the assessment technique or tests are designed, intended, and validated for self-administration and/or scoring.
- d. Access to Assessment Techniques.** Vocational Assessment Professionals carefully consider individual or environmental barriers that may limit a client's ability to effectively access and/or benefit from the assessment technique or instrument (e.g., a client who is blind may benefit from an audiotape version of a written test). Any adaptation and/or accommodation of standardized assessment procedures will be documented and described in terms of the implications of the modification and adaptation on the assessment results and interpretation.

#### **D.8. Multicultural Issues/Diversity in Assessment**

Vocational Assessment Professionals use, with caution, assessment techniques that were normed on populations other than that of the client. Vocational Assessment Professionals recognize the effects of age, color, culture, disability, ethnic group, nationality, marital status, gender, race, language preference, religion, spirituality, sexual orientation, and socioeconomic status on administration and interpretation, and place assessment results in proper perspective with other relevant contextual factors.

#### **D.9. Scoring and Interpretation of Assessments**

- a. Reporting Reservations.** When reporting assessment results, Vocational Assessment Professionals will indicate any reservations that exist regarding validity or reliability of instruments used because of the circumstances of the assessment or the inappropriateness of the norms for the persons assessed.
- b. Diversity in Assessment Techniques.** Vocational Assessment Professional will place assessment results and their interpretations in proper perspective considering other relevant factors

including age, color, culture, disability, ethnic group, nationality, marital status, gender, race, language preference, religion, spirituality, sexual orientation, and socioeconomic status.

- c. Research Instruments.** Vocational Assessment Professionals will exercise caution when interpreting the results of research instruments possessing insufficient technical data to support respondent results. The specific purposes for the use of such instruments will be stated explicitly to the examinee.
- d. Testing Services.** Vocational Assessment Professionals who provide test scoring and test interpretation services to support the assessment process will confirm the validity of such interpretations. The interpretations of assessment data will be related to the particular goals of the evaluation. Vocational Assessment Professionals will accurately describe the purpose, norms, validity, reliability, and applications of the procedures and any special qualifications applicable to their use.
- e. Automated Testing Services.** The public offering of an automated test interpretation service will be considered a professional-to-professional consultation. The formal responsibility of the consultant will be to the consultee, but the ultimate and overriding responsibility will be to the client.

#### **D.10. Security**

Vocational Assessment Professionals will maintain the integrity and security of tests and other assessment techniques consistent with legal and contractual obligations. Vocational Assessment Professionals will not appropriate, reproduce, or modify published tests or parts thereof without acknowledgement and permission from the publisher.

#### **D.11. Obsolete Tests and Outdated Test Results**

Vocational Assessment Professionals will not use data or results from assessments that are obsolete or outdated for current purposes. Vocational Assessment Professionals will make every effort to prevent the misuse of obsolete measures and assessment data by others.

#### **D.12. Assessment Construction**

Vocational Assessment Professionals will use established procedures, relevant standards, and current professional knowledge for assessment design in the development, publication, and utilization of vocational and career assessment tools.

### **Section E: Professional Relationships**

Cooperative interprofessional relationships shall be seen as vital in achieving optimum benefits for clients. Vocational Assessment Professionals shall respect the value and roles of professionals and staff in other disciplines and act with integrity in their relationships with professional colleagues, organizations, agencies, referral sources, and related disciplines.

#### **E.1. Professional Support**

Vocational Assessment Professionals will actively seek other professional assistance or support in order to provide the best possible services to their clients.

#### **E.2. Timeliness of Service**

Vocational Assessment Professionals will meet all stipulated deadlines in providing information needed by a cooperating agency or professional colleague while providing services to a referred client.

#### **E.3. Professional Cooperation**

Vocational Assessment Professionals will cooperate in professional team or staff planning activities, and will help to implement the resulting decisions, even when not in personal agreement with them, unless such decisions breach this Code.

#### **E.4. Knowledge of Related Professions**

Vocational Assessment Professionals will make an effort to learn about and understand the changing roles and responsibilities of those in related professions, and will offer information on their own services to assist other practitioners who

need such data to help them serve their own clients more effectively.

#### **E.5. Limitations of Services**

Vocational Assessment Professionals will limit their client services to those areas where they are clearly competent and qualified.

#### **E.6. Referral/Transferal of Clients**

Vocational Assessment Professionals will refrain from committing receiving parties to any prescribed course of action when referring or transferring clients. However, the professional will ensure that there is a mutual understanding of the referral or transfer situation by all persons concerned. Conversely, when Vocational Assessment Professionals receive a referral or transfer, they should establish a mutual understanding of the reason for this action as well as the expectations for service delivery.

#### **E.7. Professional Courtesy**

Vocational Assessment Professionals will not disparage the competency or ethics of other professionals or agencies in discussions with their clients unless, in the judgment of the Vocational Assessment Professional, the information is required to protect the best interests of the client.

#### **E.8. Harassment**

Vocational Assessment Professionals will not use their professional relationships with supervisors, colleagues, students, or employees to intimidate or harass them, sexually or otherwise, nor will they encourage or condone such actions in others. Intimidation and harassment are defined as deliberate or repeated comments, gestures, or physical contact of a threatening or sexual nature that is unwanted by the recipient.

#### **E.9. Reporting Ethics Violations**

If Vocational Assessment Professionals believe that there has been an ethical violation by another professional that is minor in nature and does not

appear to cause substantial harm to an individual or organization, they should attempt to resolve it by bringing it to the attention of that professional. If there appears to be a more serious ethical violation that the Vocational Assessment Professional believes may result in harm to an individual or organization, the Vocational Assessment Professional will bring it to the attention of the appropriate licensing or certifying entity.

#### **E.10. Supervision**

Vocational Assessment Professionals who employ or supervise support staff or other professionals will provide appropriate working conditions, timely evaluations, constructive consultations, and suitable experience opportunities to facilitate the career development of these individuals.

### **Section F: Research and Publication**

Vocational Assessment Professionals shall volunteer to engage in or support research and publication activities that will benefit service delivery.

#### **F.1. Research Methodology**

Vocational Assessment Professionals engaged in research, presentations, and publications will ensure that the literature reviews are thorough and accurate and that the research methodology is appropriate and sound. They will also ensure that data analysis is honest and correct, that the confidentiality of client and professional data is strictly maintained, and that materials cited from other authors or publishers is correctly referenced.

#### **F.2. Recognition of Others**

Vocational Assessment Professionals will ensure that the contributions of others in the collection of data or development of a manuscript are acknowledged through coauthorship, in an introductory or concluding statement, or in a footnote, depending on the extent of their involvement.

### **F.3. Responsibility to Report Findings**

When reporting results, Vocational Assessment Professionals will honestly report the research findings that are judged to hold professional value even if the results reflect unfavorably on institutions, programs, services, prevailing opinions, or vested interests.

### **F.4. Student Research**

For an article that is substantially based on a student's dissertation or thesis, the student will be listed as the principal author.

### **F.5. Availability of Data**

Vocational Assessment Professionals will be obligated to make sufficient original research data available to qualified Vocational Assessment Professionals who may wish to replicate the study.

### **F.6. Submission of Manuscripts**

Vocational Assessment Professionals will submit manuscripts for consideration to only one journal at a time. Manuscripts that are published in whole or in substantial part in another journal or published work are not submitted for publication without acknowledgment and permission from the previous publication.

### **F.7. Peer Review**

Vocational Assessment Professionals who review material for publication will respect the confidentiality and proprietary rights of those who submit the material.

### **F.8. Use of Human Research Subjects**

**a. Informed Consent.** Vocational Assessment Professionals will ensure that research subjects are completely informed about the purpose of the study and have agreed to participate. Research subjects will be fully informed of the nature of the study and the responsibilities of the researchers and the subjects. Participation in research is typically voluntary and subjects have

the right to withdraw from the study at any time. Professional's commitments to subjects will be clearly communicated and honored. Information from subjects obtained during the study will be confidential.

**b. Protection of Subject Rights.** Vocational Assessment Professionals will seek consultation and observe stringent safeguards to protect the rights of research participants when a research problem suggests a deviation from standard or accepted practices.

**c. Protection of Subject Welfare.** Vocational Assessment Professionals who conduct research with human participants will be responsible for the participant's welfare throughout the research and will take reasonable precautions to avoid causing injurious psychological, physical, or social effects to their participants.

**d. Research Planning and Conduct.** When using human participants, Vocational Assessment Professionals will plan, design, conduct, and report research in a manner that reflects cultural sensitivity, is culturally appropriate, and is consistent with pertinent ethical principles, federal and state/provincial laws, host institutional regulations, and scientific standards governing research with human participants.

## **Section G: Resolution of Ethical Dilemmas**

Vocational Assessment Professionals behave in a legal, ethical, and moral manner and incorporate ethical practice into their daily professional work. They strive to resolve ethical dilemmas with direct and open communication among all parties involved and seek consultation with others knowledgeable about ethics such as colleagues, supervisors, and/or appropriate authorities, such as CCWAVES, state licensure boards, and/or legal counsel, when necessary. Also, see the appended document entitled Best Practices When Faced with an Ethical Dilemma.

### **G.1. Knowledge of Standards**

Vocational Assessment Professionals are responsible for learning and adhering to the Code of Professional Ethics and should seek clarification of any standard that is not understood. Lack of knowledge or

misunderstanding of an ethical responsibility will not be used as a defense against a charge of unethical conduct.

## G.2. Conflicts Between Ethics and Laws

If ethical responsibilities conflict with laws, regulations, or other governing legal authority, Vocational Assessment Professionals make known their commitment to the Code of Professional Ethics for Vocational Assessment Professionals and take steps to resolve the conflict. If the conflict cannot be resolved by such means, Vocational Assessment Professionals may adhere to the requirements of laws, regulations, or other governing legal authorities.

## G.3. Suspected Violations

- a. Consultation.** When a Vocational Assessment Professional is uncertain as to whether a particular situation or course of action may be in violation of the Code of Professional Ethics for Vocational Assessment Professionals, they will consult with other Vocational Assessment Professionals who are knowledgeable about ethics, and/or with appropriate authorities, such as CRCC, state licensure boards, or legal counsel.
- b. Organizational Conflicts.** If the demands of an organization with which Vocational Assessment Professionals are affiliated pose a conflict with the Code of Professional Ethics for Vocational Assessment Professionals, Vocational Assessment Professionals specify the nature of such conflicts and express to their supervisors or other responsible officials their commitment to the Code of Professional Ethics for Vocational Assessment Professionals. When possible, Vocational Assessment Professionals work toward change within the organization to allow full adherence to the Code of Professional Ethics for Vocational Assessment Professionals.
- c. Informal Resolution.** When Vocational Assessment Professionals have reasonable cause to believe that another Vocational Assessment Professional is violating an ethical standard, they will attempt to resolve the issue informally with the other professional, if feasible, providing that such action does not violate confidentiality rights that may be involved.

**d. Reporting Suspected Violations.** When an informal resolution is not appropriate or feasible, Vocational Assessment Professionals, upon reasonable cause, will take action such as reporting the suspected ethical violation to state or national ethics committees or CRCC, unless this action conflicts with confidentiality rights which cannot be resolved.

**e. Unwarranted Complaints.** Vocational Assessment Professionals do not initiate, participate in, or encourage the filing of ethics complaints that are unwarranted, made with reckless disregard, or intended to harm another Vocational Assessment Professional rather than to protect clients or the public.

## G.4. Cooperation with Ethics Committees

Vocational Assessment Professionals will assist in the process of enforcing the Code of Professional Ethics for Vocational Assessment Professionals. They will cooperate with investigations, proceedings, and requirements of the CRCC Ethics Committee or ethics committees of other duly constituted associations or boards having jurisdiction over those charged with a violation.

## Section H: Business Practices

Vocational Assessment Professionals strive to be honest, loyal, and honor promises or commitments made and/or expectations that were legitimately engendered. Vocational Assessment Professionals uphold professional standards of conduct, clarify their professional roles and obligations, accept appropriate responsibility for their behavior, and seek to manage conflicts of interest that lead to exploitation or harm. Vocational Assessment Professionals exercise reasonable judgment and take precautions to ensure their potential biases, boundaries of professional competence, and limitations of their expertise do not lead to or condone unjust practices.

### H.1. Accepting, Declining, Terminating, and/or Withdrawing from Cases

- a. Ethical Concerns.** While all Vocational Assessment Professionals have the discretionary right to accept retention in any case and proceed

within their area(s) of expertise, they should decline involvement in any case when asked to take or support a predetermined position, or where there are ethical concerns about the nature of the requested assignment.

**b. Assumptions/Methodology Concerns.**

Vocational Assessment Professionals should decline involvement in any case when they are asked to assume invalid representations of fact and/or alter their methodology or process without foundation or compelling reason.

**c. Withdrawing.** If necessary to withdraw from a case after it has been referred, the Vocational Assessment Professional will make a reasonable effort to assist the client and/or referral source in locating another Vocational Assessment Professional to take over the assignment.

## H.2. Nonpayment of Fees

Services may be terminated for nonpayment if no harm comes to the client and the Vocational Assessment Professional makes a reasonable effort to assist the client and/or referral source in locating another Vocational Assessment Professional to take over the assignment or other suitable and applicable arrangements are made.

## H.3. Financial Arrangements/Billing/ Commissions/Fees

**a. Remuneration.** Vocational Assessment

Professionals will neither give nor receive commissions, rebates, contingency fees, or any other form of remuneration when accepting a case and/or referring clients for professional services. Payment for services will not be contingent upon a case outcome or award.

**b. Reasonable Fee Charge.** Vocational Assessment

Professionals will charge only for the reasonable hours of services, research, consultation, and administrative work.

**c. Differential Fee Charges.** Vocational Assessment

Professionals may charge differential fees for services when such a difference in fee is for the benefit of the client and the fee is not discriminatory.

**d. Interest Charges.** Vocational Assessment

Professionals may charge a rate of interest on delinquent accounts as is allowed by law. When such interest is being charged, professionals state the rate of interest on all invoices or bills.

**e. Financial Commitments.** Vocational Assessment

Professionals will not enter into professionally related financial commitments that will compromise the quality of their services.

**f. Fee Arrangements.** Vocational Assessment

Professionals will not enter into fee arrangements that could influence their opinions in a case and otherwise influence or have the potential to influence their credibility.

**g. Accurate Billing.** Billing will accurately reflect the services provided and identify the time engaged in the activity and who provided the service.

## H.4. Bartering

Vocational Assessment Professionals shall avoid accepting goods or services from clients as payment for professional services. Bartering arrangements, particularly involving services, create the potential for conflicts of interest, exploitation, and inappropriate boundaries in professional relationships with clients.

## H.5. Giving and Receiving Gifts

Vocational Assessment Professionals will recognize that in some cultures small gifts are a token of respect and showing gratitude. When determining whether or not to accept or give a gift, Vocational Assessment Professionals will take into account the relationship, the monetary value of the gift, the motivation for giving the gift, and for wanting or declining the gift.

## H.6. Maintenance, Dissemination, and Disposal of Records

Vocational Assessment Professionals maintain confidentiality in creating, storing, accessing, transferring, and disposing of records under their control, whether these are written, automated, or in any other medium. Subsequent to file closure, records will be maintained for the number of years consistent with jurisdictional requirements or for

a longer period during which maintenance of such records is necessary or helpful to provide reasonably anticipated future services to the client. After that time, records will be destroyed in a manner assuring preservation of confidentiality. If there are no jurisdictional requirements, records will be kept for at least three (3) years after closure. However, in some cases, records received with the case referral may be destroyed or returned to the referral source upon closure of the case if approved by and/or requested by the referral source.

## **H.7. Advertising, Soliciting Business, and Other Public Statements**

### **a. Avoidance of False, Deceptive, and/or Exploitive Statements.**

**Statements.** Public statements include but are not limited to paid or unpaid advertising, product endorsements, grant applications, licensing applications, other credentialing applications, brochures, printed matter, directory listings, personal resumes or curricula vitae, comments for use in media such as print or electronic transmissions, statements in legal proceedings, lectures and public oral presentations, and published materials. Vocational Assessment Professionals do not knowingly make public statements that are false, deceptive, or fraudulent concerning their research, practice, or other work activities or those of persons or organizations with which they are affiliated. Vocational Assessment Professionals do not exploit others.

### **b. Testimonials.** Vocational Assessment

Professionals who use testimonials do not solicit them from current clients nor former clients or any other persons who may be vulnerable to undue influence.

### **c. Statements by Others.** Vocational Assessment

Professionals make reasonable efforts to ensure that statements made by others about them or the profession are accurate.

### **d. Recruiting Through Employment.** Vocational

Assessment Professionals do not use their places of employment or institutional affiliation to recruit or gain clients for their private practices.

### **e. Products and Training Advertisements.**

Vocational Assessment Professionals who develop products related to their profession or conduct workshops or training events ensure that

the advertisements concerning these products or events are accurate and disclose adequate information for consumers to make informed choices.

### **f. Promoting Self-Interests.** Vocational Assessment

Professionals do not use teaching, training, assessment, or supervisory relationships to promote their products or training events in a manner that is deceptive or would exert undue influence on individuals who may be vulnerable. However, educators may adopt textbooks they have authored for instructional purposes.

## **Section I: Forensic Applications**

For purposes of the Forensic Applications of the Code of Professional Ethics for Vocational Assessment Professionals, the term Forensic Vocational Assessment Professionals/Consultants is used to describe vocational professionals who provide services in a forensic or litigation setting. Where applicable, statements differentiate between standards that apply for the Forensic Vocational Assessment Professional versus standards for the Forensic Vocational Consultant and the ethical responsibilities inherent in each role. Forensic Vocational Assessment Professionals/Consultants who are initially retained as primary service providers will adhere to the tenets of confidentiality and appropriate disclosure, as well as to other standards outlined in this Forensic Section of the Code.

When providing forensic evaluations/opinions, the primary obligation of Forensic Vocational Assessment Professionals/Consultants is to produce objective findings that can be substantiated based on information obtained, methods, and techniques appropriate to the evaluation, which may include examination of the individual with or without a disability, and/or a review of records. Forensic Vocational Assessment Professionals/Consultants will define the limits of their reports, opinions, and/or testimony, especially when an examination of the individual has not been conducted.

Forensic Vocational Assessment Professionals/Consultants are bound by all Standards set forth in the Code of Professional Ethics for Vocational Assessment Professionals and should also seek guidance from other applicable sections of the Code. Forensic Vocational Assessment Professionals and Consultants will also use and seek guidance

from sources, such as applicable rules, regulations, policies, standards of practice, and professional Code of Ethics from other sources set forth by their other individual credentialing and/or licensing boards.

## General Definitions

### 1. Client

Clients are defined as individuals with or without disabilities who are the subject of the litigation. The primary obligation and responsibility of Forensic Vocational Assessment Professional/Consultant is to the client. Regardless of whether direct client contact occurs or whether indirect services are provided, the primary obligation remains to the client.

### 2. Forensic Vocational Assessment Professional

A Vocational Professional is an individual who has been retained and disclosed as an expert for purposes of providing testimony.

### 3. Forensic Vocational Consultant

A Vocational Professional is an individual who has been retained to provide consulting services and has not been disclosed as an expert.

## Specific Standards

### I.1. Confidentiality

**a. Purpose.** The purpose of confidentiality is to safeguard information that is obtained in the course of practice.

**b. Disclosure.** Clients have the right to expect confidentiality and will be provided with an explanation of its limitations, including disclosure to others, at the onset of service delivery.

**i. Limitations/Benefits of Service.** Forensic Vocational Assessment Professionals will discuss confidentiality limitations, as well as pertinent benefits available to clients they serve, in order to facilitate open, honest communication and avoid unrealistic expectations.

**ii. Revealing Information.** When circumstances require the disclosure of confidential information, Forensic Vocational Assessment Professionals will endeavor to reveal only

essential information that is relevant, necessary, and verifiable.

**c. Records Review/Consultation.** When a referral source requests a records review, Forensic Vocational Consultants may exchange confidential information with the referral source that is relevant, necessary, and verifiable without the written consent of the client, their representative, or their legal guardian.

### I.2. Objectivity

**a. Objectivity.** So that justice is served by accurate determination of the facts involved, Forensic Vocational Assessment Professionals/Consultants use their abilities in an objective, unbiased, nonpartisan, impartial, and fair manner in arriving at findings, conclusions, and opinions.

**b. Methodology.** Forensic Vocational Assessment Professionals/Consultants use appropriate methods and techniques, carefully research and analyze the evidence in a case, and render opinions and conclusions that are demonstrably objective and reasonable.

**c. Testimony.** When testifying, Forensic Vocational Assessment Professionals/Consultants have an obligation to present their findings, conclusions, evidence, and opinions in a fair and objective manner.

### I.3. Competence

**a. Conduct.** Forensic Vocational Assessment Professionals/Consultants have an obligation to provide services in a manner consistent with the highest quality standards of their profession. They are responsible for their own professional and ethical conduct and the conduct of those individuals under their direct supervision.

**b. Areas of Expertise.** Forensic Vocational Assessment Professionals/Consultants will not claim to possess any depth or scope of expertise greater than that demonstrated by their professional achievements, knowledge, skill, experience, education, training, and credentials. Forensic Vocational Assessment Professionals have an obligation to present to the court the accurate information about the boundaries of

their competence, the factual bases for their qualification as an expert, and the relevance to the specific matters at issue.

- c. Qualifications of Test Users.** Forensic Vocational Assessment Professionals demonstrate that they possess the appropriate education, training, and experience in using/evaluating tests for the purposes under consideration or arrange for professional supervision and assistance as needed.
- d. Personal Values, Beliefs, and Relationships.** Forensic Vocational Assessment Professionals/Consultants recognize that their own personal values, moral beliefs, and/or personal and professional relationships with parties to a legal proceeding may interfere with their ability to practice competently. Under such circumstances, Forensic Vocational Assessment Professionals/Consultants are obligated to decline participation or to limit their assistance in a manner consistent with professional obligations.
- e. Referral to Other Professionals.** Forensic Vocational Assessment Professionals/Consultants will refer clients to other colleagues or other professionals, as appropriate, if the intended assignment is beyond their competence or area of expertise.
- f. Acquiring New Skills.** Forensic Vocational Assessment Professionals/Consultants will practice in specialty areas new to them only after appropriate education, training, and/or supervised experience has been obtained. While developing skills in new specialty areas, Forensic Vocational Assessment Professionals/Consultants will take steps to ensure the competence of their work and to protect clients from possible harm.
- g. Maintaining Current Knowledge and Use of Accepted Standards and Methodologies/Procedures.** Because of their special status as persons qualified as experts to the court, Forensic Vocational Assessment Professionals have an obligation to maintain current knowledge of scientific, professional, and legal developments within their area of claimed competence. They are obligated to use that knowledge, consistent with accepted clinical and scientific standards, in selected data collection methods and procedures for an evaluation, treatment, consultation,

conclusion, finding, opinion, and/or scholarly/empirical investigation.

- h. Presenting Applicable Information.** Forensic Vocational Assessment Professionals/Consultants avoid offering information from their evaluations that does not bear directly upon the legal purpose of their professional services. The submissions of written and/or oral reports will present data germane to the purposes of the referral.
- i. Information Utilized from Others.** When Forensic Vocational Assessment Professionals/Consultants rely upon data or information gathered by others, the origins of those data are clarified in any professional product. Forensic Vocational Assessment Professionals/Consultants bear a special responsibility to ensure that such data, if relied upon, are gathered in a manner standard for the profession.
- j. Report Writing.** Forensic Vocational Assessment Professionals' reports will be thorough, unbiased, utilize accurate/factual information and appropriate norm groups, and include competent research to substantiate the opinion(s) in a manner standard for the profession.
- k. Personal and/or Financial Gain.** Forensic Vocational Assessment Professionals/Consultants will not allow pursuit of financial gain or other personal benefit to interfere with the exercise of sound professional judgment and skills.
- l. Consulting with Others.** Forensic Vocational Assessment Professionals/Consultants may choose to consult with other professionally competent persons about their cases. Care should be taken not to place the individual who is being consulted in a conflict of interest situation and adhere to applicable legal and ethical standards of confidentiality.
- m. Verification of Information.** Forensic Vocational Assessment Professionals are aware that hearsay exceptions and other rules governing expert testimony place a special ethical burden upon them. When hearsay or otherwise inadmissible evidence forms the basis of their opinion, evidence, or professional product, they seek to minimize sole reliance upon such evidence. Where circumstances reasonably permit, Forensic Vocational Assessment Professionals seek to obtain independent and personal verification

of data relied upon as part of their professional services to the court or to a party in a legal proceeding.

**n. Insurance.** Vocational Assessment Professionals who provide consulting services shall maintain adequate malpractice, defamation, and liability insurance.

#### **I.4. Evaluation, Assessment, and Interpretation**

(Also refer to Section D of the Code of Professional Ethics for Vocational Assessment Professionals)

**a. Informed Consent.** Unless court ordered, Forensic Vocational Assessment Professionals will obtain the informed consent of the client, or their attorney or representative, before proceeding with their evaluation. If the client appears unwilling to proceed after receiving a thorough notification of the purposes, methods, and intended uses of the forensic evaluation, the evaluation should be postponed and the Forensic Vocational Expert should take steps to place the client in contact with his/her attorney or representative for the purpose of legal and/or other advice on the issue of participation.

**i. Evaluation Purpose and Use of Results.** Prior to assessment, Forensic Vocational Assessment Professionals will explain to the client the nature and purpose of assessment and the specific use of results. Forensic Vocational Assessment Professionals communicate information in ways that are both developmentally and culturally appropriate, using clear and understandable language the client (or other legally authorized person on behalf of the client) can understand.

**ii. Notice to Representative.** In situations where the client or party may not have the capacity to provide informed consent for services or the evaluation is pursuant to a court order, the Forensic Vocational Assessment Professional provides reasonable notice to the client's attorney or representative of the nature of the anticipated forensic service before proceeding. If the client's attorney or representative objects to the evaluation, the Forensic Vocational Expert notifies the court that issued the order and responds as directed.

**b. Risks/Benefits.** Forensic Vocational Assessment Professionals shall inform clients and the retaining party with whom they have direct contact of the purposes, goals, techniques, procedures, limitations, potential risks, and/or benefits of services to be performed and other pertinent information, as well as the limits of the relationship between the evaluator and the client.

**c. Evaluation Process/Methodology.** When conducting vocational assessments, Forensic Vocational Assessment Professionals utilize a professionally accepted methodology that includes an interview, use of a variety of appropriate and generally accepted valid and reliable instruments, along with documented objective behavioral observations. Forensic Vocational Assessment Professionals base their opinions, recommendations, and/or conclusions, reports, and evaluative statements including testimony on information and techniques sufficient to substantiate their findings.

**d. Presence of Others.** Forensic Vocational Assessment Professionals determine the appropriateness of the presence of others during the interview or assessment process as to the effects on client participation, performance, and assessment results.

#### **e. Release of Test Data to Qualified Professionals**

**i. Test Data.** Forensic Vocational Assessment Professionals release assessment data in which the client is identified and with the consent of the client or the client's legal representative.

**ii. Raw Test Data.** In consideration of a test publisher's policies, Forensic Vocational Assessment Professionals will release raw test data only to persons recognized to competently interpret the data and if confident about the protection and confidentiality of test materials. In the absence of a client release, Forensic Assessment Professionals provide test data only as required by law or court order.

#### **I.5. Disclosure – Withholding Information**

Forensic Vocational Assessment Professionals/Consultants will not intentionally withhold or omit any findings or opinions discovered during a forensic evaluation that would cause the facts of a case to be misinterpreted or distorted.

## I.6. Consistency in Methodology

Forensic Vocational Assessment Professionals/Consultants may be given a different assignment when retained in a forensic case by the plaintiff as opposed to the defense. For any given assignment, however, the basic assumptions, information sources, and methods should not change regardless of the party who retains the Forensic Vocational Expert/Consultant to perform the assignment. There should be no change in methodology or process used to evaluate the case for purposes of favoring any party's claim. This is not meant to preclude methodological changes as new knowledge becomes available.

## I.7. Community and the Law — Professional Conflicts

When conflicts arise between professional standards and ethics and the requirements of legal standards, a particular court, or a directive by an officer of the court or legal authorities, the Forensic Vocational Expert/Consultant has an obligation to make those legal authorities aware of the source of the conflict and to take reasonable steps to resolve it.

## I.8. Loyalty to Colleagues, Professional Relationships

**a. Evaluation of Other Professionals/Agencies.** Forensic Vocational Assessment Professionals/Consultants will not discuss in a disparaging way the competency of other professionals or agencies. Differences in opinions, findings, methods, or plan development should be made based on work product, not on the individual or agency.

### b. Evaluation of Other Professional's Work

**Product.** When evaluating or commenting upon the professional work product or qualifications of another expert or party to a legal proceeding, Forensic Vocational Assessment Professionals/Consultants represent their professional disagreements with reference to a fair and accurate evaluation of the data, theories, standards, and opinions of the other expert or party.

**c. Integrity.** Forensic Vocational Assessment Professionals/Consultants shall act with integrity in relationships with colleagues, other

organizations, agencies, institutions, referral sources, and other professions so as to facilitate the contribution of all specialists toward achieving optimum service delivery. Forensic Vocational Assessment Professionals/Consultants shall at all times strive to practice within the boundaries of professional and disciplinary honesty and fairness.

## I.9. Business Practices

(Also refer to Section H of the Code of Professional Ethics for Vocational Assessment Professionals)

**a. Remuneration.** Forensic Vocational Assessment Professionals/Consultants will neither give nor receive commissions, rebates, contingency fees, or any other form of remuneration when accepting a case or referring clients for professional services. Payment for services will not be contingent upon a case outcome or award. Forensic Vocational Assessment Professionals/Consultants will not enter into financial commitments that may compromise the quality of their services. Forensic Vocational Assessment Professionals/Consultants will not enter into fee arrangements that could influence their opinions in a case and otherwise raise questions as to their credibility.

**b. Accepting/Declining Cases.** While all Forensic Vocational Assessment Professionals/Consultants have the discretionary right to accept retention in any case or proceed within their area(s) of expertise, they should decline involvement in any case when asked to take or support a predetermined position, or where there are ethical concerns about the nature of the requested assignment. Forensic Vocational Assessment Professionals/Consultants should decline involvement in any case when they are asked to assume invalid representations of fact or alter their methodology or process without foundation or compelling reason.

**c. Withdrawing from a Case.** If necessary to withdraw from a case after having been retained, Forensic Vocational Assessment Professionals/Consultants will make a reasonable effort to assist the client and/or referral source in locating another Forensic Vocational Assessment Professional/Consultant to take over the assignment.

**d. Fee Disputes.** Should a fee dispute arise during the course of evaluating a case and/or prior to trial, the Forensic Vocational Assessment Professional/Consultant shall have the ability to discontinue his/her involvement in the case as long as no harm comes to the client.

**e. Records**

**i. Release of Information.** Forensic Vocational Assessment Professionals will abide by all applicable confidentiality regulations and laws. Forensic Vocational Assessment Professionals will require completed and current release of information forms before providing information. (Also refer to Section B in the Code of Professional Ethics for Vocational Assessment Professionals)

**ii. Documentation.** Forensic Vocational Assessment Professionals/Consultants provide sufficient, accurate, and prompt documentation to support information provided in reports, including behavioral observations, case notes, plans, and other required documents. Documentation should accurately reflect the services provided and identify who provided the service.

**iii. Maintenance of Records.** Records, including but not limited to test results, case files, and billing information, will be maintained as required by applicable laws, regulations, or agency/institution procedures. Subsequent to file closure, records will be maintained for the number of years consistent with jurisdictional requirements or for a longer period during which maintenance of such records is necessary or helpful to provide reasonably anticipated future services to the client. After that time, records will be destroyed in a manner assuring preservation of confidentiality. If there are no jurisdictional requirements, then records will be kept for three (3) years after case closure. However, records received with the case referral may be destroyed or returned to the referral source upon closure of the case and/or as directed by the referral source.

## I.10. Detrimental/Exploitive Relationships

**a. Potential Conflict of Interest.** Forensic Vocational Assessment Professionals/Consultants will recognize potential conflicts of interest in dual/multiple relationships that are detrimental/exploitive, and seek to minimize their effects and avoid those situations.

**b. Professional/Personal Relationships.** Forensic Vocational Assessment Professionals/Consultants will avoid providing professional services to parties in a legal proceeding with whom they have current and/or previous personal relationships that are inconsistent with the business and professional relationship and/or pose a conflict of interest. Forensic Vocational Assessment Professionals/Consultants will avoid establishing (dual/multiple) relationships with clients and others with whom they have professional relationships that could impair their professional judgment and/or increase the risk of exploitation.

## I.11. Electronic Communication

**a. Copyrighted Documents.** Forensic Vocational Assessment Professionals/Consultants will not use electronic communications to send copies of copyrighted documents, if such a transmission would be in violation of copyright laws.

**b. Unauthorized Access.** Attempting unauthorized access to data, attempting to breach any security measures on an electronic communication system, or attempting to intercept any electronic communication transmissions without proper authorization will represent a breach of acceptable behavior by Forensic Vocational Assessment Professionals/Consultants.

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*Please note that any omission or failure to specify any particular responsibility or practice in this Code of Ethics for Vocational Assessment Professionals shall not be construed as denial of the existence of such responsibilities or practices.*

A copy of CRCC's Guidelines and Procedures for Processing Complaints along with a Complaint Form may be obtained from CRCC's website at [www.crc certification.com](http://www.crc certification.com) or by contacting CRCC at:

CRCC  
1699 E. Woodfield Road, Suite 300  
Schaumburg, IL 60173  
(847) 944-1325

**Recommended Citation**

Commission on Rehabilitation Counselor Certification. (2009). *Code of professional ethics for vocational evaluation specialists, work adjustment specialists, and career assessment associates*. Schaumburg, IL: Author

## ADDENDA

### **Forensic Professional Disclosure Form – Example**

You have been referred by \_\_\_\_\_ to receive a vocational evaluation. In order to ensure you understand the reason for our appointment today, we will review the following topics:

- The purpose for the evaluation
- What to expect in the evaluation, including risks and benefits to you
- My roles and responsibilities and limitations on what I can do
- Your roles and responsibilities
- Records preservation
- Confidentiality
- Potential of my providing testimony in a court setting regarding your case

The purpose of this evaluation is to assess your ability to work. This will involve vocational testing, which may include paper and pencil tests, work samples, and/or situational assessments. The evaluation may include the identification of vocational assets, return to work barriers, transferable skills analysis, appropriate alternate employment, and recommendations. The evaluation may or may not include my opinion regarding your wage earning capacity.

I have been retained to provide an opinion only and I have not been retained to provide any services that I might recommend that might expedite your return to work. I anticipate that our meeting will be limited to this one time.

I may be asked to testify in a legal proceeding regarding information obtained during your assessment and my opinion regarding your employability and recommendations for dealing with any identified employment barriers.

Your role is to provide accurate information in response to my questions. If you do not understand the reason for a particular question that I may ask, you have the right to request an explanation for such before responding.

Depending upon the wishes of my referral source, I may or may not be providing a written report. You may wish to inquire of your attorney as to whether this report is available for your review. Records are retained in this office for three (3) years before they are destroyed. A benefit to you by virtue of undergoing this evaluation is that an objective and unbiased opinion will be provided regarding your employability, if any.

I may involve other professionals to assist me with various aspects of developing my opinion. Discussions regarding your case may be held with such individuals.

As this evaluation is taking place within the context of legal action brought by you, it is important that you understand that any information that I receive from you or other sources during the course of this evaluation and formulation of my opinion could be shared in my report, or, in a legal proceeding. The normal confidentiality considerations of a client-Evaluator relationship do not apply in this context. Besides these limits on confidentiality, these additional situations may require that I divulge information concerning you:

- If I believe that you are going to harm or endanger yourself or others, I am required to notify the endangered individual(s), the proper authorities, and/or officials.

- If I believe you are going to harm or endanger or abuse children or the elderly, I will report this to state or local authorities.
- Requests for information from other parties (e.g., doctors, physical therapists, your employer, etc.) involved in your case may occur. If so, you would have to sign a release of information form before your records could be released. That signature is voluntary.
- If this agency or I am sued or court ordered and a properly issued subpoena is received, then information in your file may be released.
- If you are a minor or not your own legal guardian, then the information in your file may be available to your legal guardian or advocate.

There may be some risks involved in the vocational assessment process, such as you may not agree with my opinion, and the opinion may not be favorable to your case.

I am a Certified Vocational Evaluation Specialist (CVE). Attached is a copy of my professional qualifications. Should you have any concerns, please contact me. If you believe that I have acted in an unethical manner, please contact the Commission on Rehabilitation Counselor Certification (CRCC).

By signing this form, I attest that I have discussed the aforementioned topics with the Evaluator and that I understand the information discussed as well as the information contained within this document.

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Signature of Client

Date

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Printed Name of Client

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Signature of Legal Guardian

Date

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Printed Name of Legal Guardian

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Signature of Evaluator

Date

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Printed Name of Evaluator

*This disclosure form is provided by the Commission on Rehabilitation Counselor Certification (CRCC) as an example of the content that would be appropriate to include in a disclosure form for the forensic setting. The form will be reviewed for applicability to each particular case and appropriate modifications will be made.*

### **Assessment Services Disclosure Form – Example**

You have been referred to me by \_\_\_\_\_ for the purpose of \_\_\_\_\_  
(e.g., Vocational Evaluation and Assessment, Work Adjustment, etc.).

The following topics will be discussed before we begin:

- My (Vocational Assessment Professional's) credentials, roles, and responsibilities
- Your roles and responsibilities; risks and benefits involved with the vocational services
- Nature and type of services provided and goals of the meeting
- Frequency and length of service
- Potential for legal testimony regarding your case
- Confidentiality/release of Information/risks associated with electronic communication
- Records preservation / destruction

The goal of the assessment is to \_\_\_\_\_  
(e.g., identify appropriate vocational goals to assist you in vocational plan development).

For the most successful results, it is important that you actively participate in services and try your best on all tasks. There may be some risks involved. Things you are asked to do may be difficult and challenging. It is important to know that no unnecessary difficulties will be placed upon you. All of the activities are ultimately in your best interest. A benefit to you is \_\_\_\_\_.

We may only meet on this one occasion; however, the length of service will be based upon several factors and the visits or sessions will vary on a case-by-case basis.

Subject to (the referral source/agency/state, etc.) requirements, a report may be developed. Such a report may include, but would not be limited to, recommendations for services, such as: \_\_\_\_\_

(e.g., case management, counseling, job readiness training, assistance with returning to work, etc.).

Personal information may be discussed and placed in your file. However, I will do my best to keep personal information that is not related to this referral out of your file.

If a third party (e.g., insurance carrier) is paying for services, records may be provided to that party.

If I believe that you are going to harm or endanger yourself or others, I am required to notify the endangered individual(s), the proper authorities, and/or officials.

Requests for information from other parties (e.g., doctors, physical therapists, your employer, educational/training facilities, etc.) involved in your case may occur. If so, you would have to sign a release of information form before information/records could be released or information/records obtained from those sources.

Every effort will be made to protect your identify. Our electronic communication policy is: \_\_\_\_\_.

Our policy on releasing information/reports to you is: \_\_\_\_\_.

Records are kept for the following period of time: \_\_\_\_\_,

and then destroyed by the following method: \_\_\_\_\_.

If this agency or I am sued or court ordered and a properly issued subpoena is received, then information in your file may be released.

By signing this form, I attest that I have discussed the aforementioned topics with

\_\_\_\_\_ (Name/Title)

and that I understand the information discussed as well as the information contained within this document.

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Signature of Client (or Guardian, if applicable)

Date

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Printed Name of Client

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Signature of Guardian/Representative

Date

---

Printed Name Guardian/Representative

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Signature of Vocational Assessment Professional

Date

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Printed Name of Vocational Assessment Professional

### **Best Practices When Faced with an Ethical Dilemma**

Ethics refer to issues or practices that influence the decision-making process in terms of “doing the right thing” within generally accepted moral values of a society, culture, or organization. Ethical dilemmas pose situations or problems for which there are no clear or agreed-on moral solutions (McIntire & Miller, 2007). The best practice model outlined below assumes vocational assessment professionals act in accordance with the Code of Ethics for Vocational Assessment Professionals.

1. Consult with a colleague or an ethics expert and/or consider contacting a state board or professional association for additional assistance.
2. Document the steps taken, as well as those considered but not chosen, and your reasoning behind those decisions.
3. Aspire to the general principles of the code of conduct and consider whether and how the principles help inform the decision-making process.
4. When the law and the code of conduct conflict, review Standard G.2, which suggests professionals follow the law after first making known their commitment to the code of ethics.
5. If a conflict of interest, such as having a relationship with someone closely associated with a client, can reasonably be expected to jeopardize your objectivity, carefully consider your options, most notably refraining from the relationship.
6. If your professional role includes counseling and it is deemed necessary to terminate, offer the client a referral to another counseling professional.
7. Above all, if you find yourself in an ethical decision-making process, “show that you were careful, reasonable, and prudent and that you did the best you could” (Greer, 2004, p.63).

*Revised from Kinscherff, 2004 as cited in McIntire & Miller, 2007*