



ETHICS CONFLICT RESOLUTION OUTSIDE INTERNSHIP OR PRACTICUM EMPLOYEE AGREEMENT

ADMIN080901ERA

INSTRUCTIONS: *This form is for Ethics Conflict Resolution purposes only. The Department of Child Services (DCS) employee should read and sign this agreement and keep the attached 2009 Ethics Policies, Code and Statutes Relating to Internship or Practicum. This agreement should be submitted to the DCS employee's Supervisor/Work Unit Manager for approval of the Ethics Conflict Resolution. The DCS Supervisor/Work Unit Manager must submit this signed agreement to the Deputy Director of Staff Development for final approval. Upon return the Supervisor/Work Unit Manager must make copies of all forms related to the Ethics Conflict Resolution for his or her records and forward originals to human resources to be placed in the employee's personnel file.*

I am an employee of DCS. I have submitted an Employee Outside Internship/Practicum Application form regarding a position at:

Internship or practicum agency: _____

Address: _____

City, State, Zip: _____

Supervisor at agency: _____

Phone Number: _____

The DCS Ethics Officer has determined that the potential internship or practicum agency listed above has the potential of becoming a conflict of interest. I understand that if I become involved in a situation involving a conflict of interest that it may result in the termination of my employment with DCS. In order to avoid any conflicts of interest, I agree to the following:

- a. I will notify any internship or practicum agency that I am employed full time by DCS and that the terms of my employment with DCS may prohibit me from working with clients that are or become involved with the DCS in any capacity (excluding receipt or payment of child support).
- b. I will notify my DCS Supervisor/Work Unit Manager, in writing, of any and all situations which arise in which I have any concerns about a possible conflict of interest.
- c. I will not release any confidential information obtained in my position with the DCS, regardless of the circumstances.
- d. I will not release any confidential information obtained in my position with the internship or practicum agency to DCS, regardless of the circumstances.
- e. I will not refer any DCS clients to the internship or practicum agency.
- f. I will not be involved in any decisions or voting at or involved with my employment with DCS which in any way involves the internship or practicum agency.
- g. I will not serve on any Regional Services Council during my tenure with the internship or practicum agency.
- h. I will not serve on any committee involving any contracts between DCS and the internship or practicum agency and I will not be involved in any meetings or scoring of Request for Proposals (RFPs), Request for Services (RFSs), or Request for Information (RFIs).
- i. I will not conduct any trainings at the agency in which I am doing my internship or practicum which would relate to DCS topics. (Training on non-DCS topics could be provided as long as you do not represent yourself as a DCS employee.)

- j. I will not distribute pamphlets or other information regarding the internship or practicum during my employment with DCS.

I understand that entering into this agreement does not excuse me from any of my job responsibilities with DCS and if I am unable to complete any of my DCS job responsibilities as a result of conflict of interest, I will receive appropriate discipline up to and including termination of my employment with DCS. I agree to complete any additional job responsibilities requested by my direct Supervisor/Work Unit Manager to rectify any additional work required of other employees to assume any of my responsibilities due to a conflict.

I understand that it is my sole responsibility to read and understand the terms of this agreement and that a copy will be placed in my DCS personnel file.

I understand that it is my responsibility to meet with my Supervisor/Work Unit Manager on a monthly basis to address any issues or potential conflicts of interest. If my Supervisor/Work Unit Manager is not available to meet with me during a scheduled appointment and other arrangements cannot be made for us to meet, then I will submit an email to my work Supervisor/Work Unit Manager advising him or her of the status of my internship or practicum and if any issues have arisen.

I agree that I have read and understand all DCS policies, Indiana Administrative Code, and Indiana Code regarding ethics and I thoroughly understand my ethical responsibilities as an employee of the State of Indiana.

DCS Employee: _____
(Print)

DCS Employee Signature: _____

Date: _____

The Department of Child Services Supervisor/Work Unit Manager must sign acknowledging that he or she has completed the following:

1. I have spoken with the internship or practicum agency contact and we have discussed the appropriate procedures which will be followed in the event of a potential or actual conflict of interest.
2. I have scheduled with the above mentioned employee on a monthly basis to determine if any conflicts have arisen.

DCS Supervisor/Work Unit Manager: _____
(Print)

DCS Supervisor/Work Unit Manager Signature: _____

Date: _____

2009 Ethics Policies, Code and Statutes Relating to Internships or Practicum

DCS Policies

Employee Outside Internships and Practicum:

http://www.in.gov/dcs/files/Employee_Outside_Internships_and_Practicum.pdf

Ethics Policy: http://www.in.gov/dcs/files/Ethics_Policy_06-08-05.pdf

External Affairs - <http://www.in.gov/dcs/2516.htm> including Speaking Engagements:

http://www.in.gov/dcs/files/Speaking_Engagements_and_Guest_Appearances_06-08-05.pdf

Supplemental Employment: http://www.in.gov/dcs/files/SUPPLEMENTAL_EMPLOYMENT.pdf

Use of State Time and Equipment:

http://www.in.gov/dcs/files/USE_OF_STATE_TIME_AND_EQUIPMENT.pdf

Indiana Administrative Code: 42 IAC 1-2

Please read all of 42 IAC 1-2. Specific sections below are included for your convenience. The entire article may be found at: http://www.in.gov/legislative/iac/iac_title?iact=42&iaca=1&submit=+Go+

42 IAC 1-2-1(b)(c); Purpose

(b) The purpose of this article is to set ethical standards for:

- (1) the official conduct of the current and former officers, employees, and special state appointees of the executive and administrative branches of state government; and
- (2) persons who have or had a business relationship with an agency;
so that the general public will have confidence that the conduct of state business is always conducive to the public good. This article promotes the principle that public office is a public trust where government is based upon the consent of its citizens who are entitled to have complete confidence in the integrity of their government. Thus, the business of the state will be conducted in such a manner as to reassure the citizens of Indiana that the character and conduct of its officials, employees, and special state appointees are above reproach.

(c) Public confidence in the integrity of government is essential to the exercise of good government.

Accordingly, those persons under the jurisdiction of the state ethics commission should be committed to the following goals:

- (1) Duties should be carried out impartially.
- (2) Decisions and policy should not be made outside of proper channels of state government.
- (3) Public office should not be used for private gain.
- (4) Actions, transactions, or involvements should not be performed or engaged in which have the potential to become a conflict of interest.

42 IAC 1-5-8 Additional compensation

A state officer, employee, or special state appointee shall not solicit or accept compensation for the performance of official duties other than provided for by law.

42 IAC 1-5-10 Benefiting from confidential information

A state officer, employee, or special state appointee shall not benefit from, or permit any other person to benefit from, information of a confidential nature except as permitted or required by law.

42 IAC 1-5-11 Divulging confidential information

A state officer, employee, or special state appointee shall not divulge information of a confidential nature except as permitted by law.

42 IAC 1-5-13 Ghost employment

A state officer, employee, or special state appointee shall not engage in, or direct others to engage in, work other than the performance of official duties during working hours, except as permitted by general written agency, departmental, or institutional policy or regulation.

Indiana Code: I.C. 4-2

Please read all of I.C. 4-2. Specific sections below are included for your convenience. The entire section may be found at: <http://www.in.gov/legislative/ic/code/title4/ar2/ch6.html>

IC 4-2-6-5.5(a): Conflict of interest

- (a) A current state officer, employee, or special state appointee shall not knowingly:
- (1) accept other employment involving compensation of substantial value if the responsibilities of that employment are inherently incompatible with the responsibilities of public office or require the individual's recusal from matters so central or critical to the performance of the individual's official duties that the individual's ability to perform those duties would be materially impaired;
 - (2) accept employment or engage in business or professional activity that would require the individual to disclose confidential information that was gained in the course of state employment; or
 - (3) use or attempt to use the individual's official position to secure unwarranted privileges or exemptions that are:
 - (A) of substantial value; and
 - (B) not properly available to similarly situated individuals outside state government.

4-2-6-6. Compensation for confidential transactions prohibited.

No state officer or employee, former state officer or employee, special state appointee, or former special state appointee shall accept any compensation from any employment, transaction, or investment which was entered into or made as a result of material information of a confidential nature.

4-2-6-9. Participation in decisions or votes involving conflict of interest prohibited.

- (a) A state officer, an employee, or a special state appointee may not participate in any decision or vote if the state officer, employee, or special state appointee has knowledge that any of the following has a financial interest in the outcome of the matter:
- (1) The state officer, employee, or special state appointee.
 - (2) A member of the immediate family of the state officer, employee, or special state appointee.
 - (3) A business organization in which the state officer, employee, or special state appointee is serving as an officer, a director, a trustee, a partner, or an employee.
 - (4) Any person or organization with whom the state officer, employee, or special state appointee is negotiating or has an arrangement concerning prospective employment.
- (b) A state officer, an employee, or a special state appointee who identifies a potential conflict of interest shall notify the person's appointing authority and seek an advisory opinion from the commission by filing a written description detailing the nature and circumstances of the particular matter and making full disclosure of any related financial interest in the matter. The commission shall:
- (1) with the approval of the appointing authority, assign the particular matter to another person and implement all necessary procedures to screen the state officer, employee, or special state appointee seeking an advisory opinion from involvement in the matter; or
 - (2) make a written determination that the interest is not so substantial that the commission considers it likely to affect the integrity of the services that the state expects from the state officer, employee, or special state appointee.
- (c) A written determination under subsection (b)(2) constitutes conclusive proof that it is not a violation for the state officer, employee, or special state appointee who sought an advisory opinion under this

section to participate in the particular matter. A written determination under subsection (b) (2) shall be filed with the appointing authority.