

June 2, 2025

Katherine Noel, Chair
Indiana State Ethics Commission
315 W. Ohio Street, Room 104
Indianapolis, IN 46204

FILED
JUN 12 2025
INDIANA STATE
ETHICS COMMISSION

IC 4-2-6-11

Post-Employment Waiver: Megan Hibbard

As the Appointing Authority of the Indiana Department of Workforce Development (DWD), I am filing this waiver of the application of a certain post-employment restriction of the Code of Ethics as it may apply to Megan Hibbard, a High School Equivalency (HSE) Assessment Specialist with DWD, in her desired post-employment with GED Testing Service, LLC (GED).

I understand I must file and present this waiver to the State Ethics Commission at its next meeting on June 12, 2025. I further understand this waiver is not final until approved by the State Ethics Commission.

A. This waiver is provided pursuant to IC 4-2-6-11(g) and specifically waives the application of:

IC 4-2-6-11(c): Particular matter restriction prohibiting the former state employee or special state appointee from representing or assisting a person in a particular matter involving the state if the former state officer, employee, or special state appointee personally and substantially participated in the matter as a state worker.

B. IC 4-2-6-11(g)(2) requires that an agency's appointing authority, when authorizing a waiver of the application of the post-employment restrictions in IC 4-2-6-11(b)-(c), also include specific information supporting such authorization. Please provide the requested information in the following five (5) sections to fulfill this requirement.

1. Please explain whether the employee's prior job duties involved substantial decision-making authority over policies, rules, or contracts:

In her role as a HSE Assessment Specialist with DWD's Adult Education division, Ms. Hibbard assists students in obtaining their HSE information for prospective schools and employers, updates the state's credentials testing programs, monitors existing testing programs, and responds to general HSE program inquiries.

Ms. Hibbard's essential duties include:

- Communicating with local testing center personnel, examinees, and others regarding HSE testing policies and procedures.
- Serving as liaison to Diploma Sender, the credentialing vendor, and Indiana HSE testing sites.
- Responding to mail, emails, and telephone inquiries regarding HSE testing.
- Receiving and approving invoices from a vendor, Propio Language Services (Propio), and overseeing the budget for this project. [This vendor is not Ms. Hibbard's prospective employer.]

- Handling administrative tasks as assigned.

Specifically, Ms. Hibbard serves as the liaison between testing centers and the test vendors. When a test center has specific issues, Ms. Hibbard contacts DWD's direct point of contact at GED or HiSET for guidance. Ms. Hibbard attends GED's and HiSET's monthly calls informing states of updates.

Ms. Hibbard's state duties do not include decision-making authority over policies or rules. Aside from her involvement with Propio described above, Ms. Hibbard's job duties do not include decision-making authority over contracts.

2. Please describe the nature of the duties to be performed by the employee for the prospective employer:

Ms. Hibbard's prospective employer is GED, which DWD added to its HSE testing services in 2023. Ms. Hibbard's prospective position is GED's State Relationship Manager (SRM). The SRM team serves as a bridge, facilitating communication and cooperation to enhance the accessibility and administration of the GED test and related resources to educators and program administrators. Each state is assigned a dedicated SRM who acts as the primary point of contact, providing tailored support and guidance to meet the unique needs of each state's educational landscape. The SRM also trains state administrators and adult education program directors.

GED's SRM team strives to increase awareness of the general education diploma test and its importance. SRMs engage in outreach efforts, hosting workshops, webinars, and conferences to educate stakeholders about the benefits of obtaining a general education diploma. These efforts help to demystify the testing process and motivate individuals to take the next step toward their educational and career aspirations. GED's SRM team also focuses on data-driven decision-making. By leveraging data analytics, SRMs can assess the effectiveness of programs and initiatives, making informed adjustments to enhance outcomes. The SRM team plays a crucial role in expanding educational access and support for GED candidates across the nation by building and maintaining strong relationships with state agencies and community organizations to understand and address the challenges faced by individuals pursuing their high school equivalency diploma.

3. Please explain whether the prospective employment is likely to involve substantial contact with the employee's former agency and the extent to which any such contact is likely to involve matters where the agency has the discretion to make decisions based on the work product of the employee:

There are only two HSE testing services in the country, and DWD currently contracts with both GED and HiSET. If Ms. Hibbard is selected as GED's candidate of choice, she may be assigned to Indiana as an SRM. In this role, Ms. Hibbard would engage in training with testing providers and DWD employees as new standards and information emerge regarding HSE. Ms. Hibbard would have no contracting authority, nor would she divulge confidential information to GED or use the same. Ms. Hibbard would be involved with the annual Adult Education conference as a GED employee, rather than a DWD employee (as she historically has been).

4. Please explain whether the prospective employment may be beneficial to the state or the public,

specifically stating how the intended employment is consistent with the public interest:

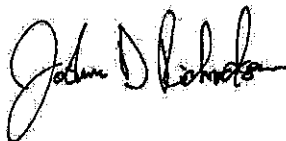
Ms. Hibbard has worked for DWD for four and a half years and has been integral to Indiana's Adult Education program. Ms. Hibbard has developed important skills and strategies and has gained valuable experience during her time in public service. The public will continue to benefit from Ms. Hibbard's Adult Education expertise if she begins employment with GED. It is in the State's interest to allow its employees to continue to advance their careers by accepting employment outside the public sector. Allowing Ms. Hibbard to take a role at a company to which she did not award, sign, or oversee any contracts is consistent with the public interest.

5. Please explain the extent of economic hardship to the employee if the request for a waiver is denied:

Not providing this waiver could lead to economic hardship for Ms. Hibbard; she may not otherwise be provided with this potential opportunity for employment with GED. There are limited opportunities for advancement of position and salary within DWD's Adult Education division. Allowing Ms. Hibbard to obtain employment with GED as an SRM (including for Indiana, should GED assign her) will enable Ms. Hibbard to further advance her career while continuing to serve the public.

C. Signatures**1. Appointing authority/state officer of agency**

By signing below, I authorize the waiver of the above-specified post-employment restrictions pursuant to IC 4-2-6-11(g)(1)(A). In addition, I acknowledge that this waiver is limited to an employee or special state appointee who obtains the waiver before engaging in the conduct that would give rise to a violation.



06/02/2025

Josh Richardson
Commissioner DWD

Date**2. Ethics Officer of agency**

By signing below, I attest to the form of this waiver of the above-specified post-employment restrictions pursuant to IC 4-2-6-11(g)(1)(B).


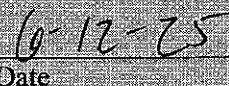


06/02/2025

Amie Durfee
Ethics Officer, DWD

Date

D. Approval by State Ethics Commission

FOR OFFICE USE ONLY	
Approved by State Ethics Commission	
	
Katherine Noel, Chair, State Ethics Commission	Date

Indiana State Ethics Commission
c/o Office of Inspector General 315
W, Ohio Street, Room 104
Indianapolis, IN 46202

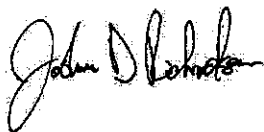
Re: Designation Letter

To Whom It May Concern:

I am the Commissioner of the Indiana Department of Workforce Development, and accordingly, the appointing authority for Megan Hibbard, High School Equivalency (HSE) Assessment Specialist for Indiana Department of Workforce Development, I have submitted a post-employment waiver for Megan Hibbard.

While I will be unable to attend the State Ethics Commission's meeting on June 12, 2025, I hereby designate Amie Durfee, Deputy General Counsel and Ethics Officer for the Indiana Department of Workforce Development, to file and present the above-referenced waiver on my behalf. Therefore, please feel free to direct any questions concerning this filing to Ms. Durfee.

Respectfully,



Josh Richardson, Commissioner
Indiana Department of Workforce Development

