



Indiana Department of Education

Dr. Katie Jenner, Secretary of Education

FILED

JUN 12 2025

INDIANA STATE
ETHICS COMMISSION

IC 4-2-6-11

Post-employment waiver

As the Appointing Authority of the Office of the Secretary of Education, I am filing this waiver of the application of the Code of Ethics' post-employment restriction as it applies to Seth Hinshaw in his post-employment with Indiana State University.

I understand that I must file and present this waiver to the State Ethics Commission at their next available meeting. I further understand that 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
(Please indicate the specific restriction in 42 IAC 1-5-14 (IC 4-2-6-11) you are waiving):

- ☐ IC 4-2-6-11(b)(1): 365 day required "cooling off" period before serving as a lobbyist.
- ☒ IC 4-2-6-11(b)(2): 365 day required "cooling off" period before receiving compensation from an employer for whom the state employee or special state appointee was engaged in the negotiation or administration of a contract and was in a position to make a discretionary decision affecting the outcome of such negotiation or administration.
- ☐ IC 4-2-6-11(b)(3): 365 day required "cooling off" period before receiving compensation from an employer for which the former state employee or special state appointee made a directly applicable regulatory or licensing decision.
- ☒ 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. (Please provide a brief description of the specific particular matter(s) to which this waiver applies below):
- As CFO for the Commission for Higher Education (CHE), Mr. Hinshaw led development of the state's current **higher education performance funding formula (IC 21-18-16)**. This formula was used by the legislature to allocate new state funding to Indiana's public institutions during the 2023 legislative session. The formula was voted on by the Commission and discussed heavily at several public meetings. The formula is regularly modified and adjusted to reflect the changing needs of Indiana's higher education landscape. Most recently, the formula was modified to establish more



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challenging goals for each of the public institutions in an effort to drive further attainment in the state. In his new role with Indiana State University, Mr. Hinshaw would be expected to maintain a professional relationship with CHE in the continued improvement and implementation of the formula.

- As CFO for CHE, Mr. Hinshaw led the development of the Commission's **biennial budget recommendation for higher education** (IC 21-18-6). These recommendations involved reviewing university budget requests for operating, line items, and capital projects. In his new role with Indiana State University, Mr. Hinshaw would be responsible for supporting the President in developing and presenting the university's biennial budget requests to the Commission, Governor's Office, and General Assembly.
- As CFO for CHE, Mr. Hinshaw was responsible for reviewing **higher education capital projects** that exceed the Commission's review threshold (i.e., \$500K for a lease and \$2M for construction) (IC 21-33-3-5). In his new role with Indiana State University, Mr. Hinshaw would be expected to lead in the development of new capital projects as well as present them before the Commission and State Budget Committee.
- As CFO for CHE, Mr. Hinshaw led the development of the 2023 **non-binding tuition and mandatory fee recommendation** for public institutions and supported the same process as CFO for the Office of the Secretary of Education for the 2025 recommendation (IC 21-14-2-12.5). In his new role with Indiana State University, Mr. Hinshaw would be expected to lead the development of future tuition setting for the university.

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:

Seth Hinshaw currently serves as Chief Financial Officer (CFO) for the Office of Education under Secretary of Education Katie Jenner. The Office of Education, created by Executive Order 25-07, supports Secretary Jenner in carrying out her responsibilities overseeing the operations of the state agencies within the Office's purview, including the Indiana Commission for Higher Education (CHE). As CFO, Mr. Hinshaw coordinates the Office's financial policies, oversees the financial personnel of the agencies within the Office's purview, coordinates with the Office of Management and Budget (OMB), and serves as a member of the Secretary's executive leadership team.

Prior to beginning that role in January 2025, Mr. Hinshaw served as CFO for CHE from 2022 to 2025. By statute, CHE's role is to plan and coordinate, but not manage or regulate, Indiana's system of state institutions—including reviewing operating and capital budget appropriation requests and degree programs, administer state financial aid programs and funds available for



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postsecondary education from the federal government, and make recommendations concerning postsecondary education, along with performing other functions as assigned by the Governor or General Assembly. In that role, Mr. Hinshaw oversaw the following departments: finance, business intelligence (data), and enterprise solutions (IT).

Mr. Hinshaw's duties and responsibilities have involved and continue to require substantial decision-making authority over various higher education policies and grant agreements. Though, in his current role, Mr. Hinshaw has no signatory authority for any agency, he was the primary contract and grant signatory in his prior role with CHE, signing all contracts and grant agreements on CHE's behalf, including contracts with private and state educational institutions such as Indiana State University.

Additionally, in the 2023 and 2025 budget cycles, Mr. Hinshaw was responsible for drafting CHE's biennial budget recommendations for consideration and vote by CHE's governing board, as required by IC 21-18-6. The budget recommendations included a variety of funding components, including capital project review, outcomes-based performance funding, line items, and state financial aid.

Mr. Hinshaw's prior role as CFO for CHE included contract and grant signatory responsibilities. During his tenure with CHE, Mr. Hinshaw signed two grant agreements with Indiana State on behalf of CHE, including amendments. These agreements supported the two-year College Success program, and Transition to Teaching program. The former (grant # 79158) was a competitive grant awarded to more than twenty public and private institutions of higher education. Indiana State's award totaled \$320,000 to support several success coaches, whose purpose was to provide support for low-income students in an effort to drive retention and degree completion. The latter (grant # 89541) provides tuition assistance to professionals with existing degrees to teach K-12 education through an abbreviated program of pedagogy; this program is provided by many public and private institutions throughout the state, each of whom receive varying levels of funding from the state.

Mr. Hinshaw's interactions with Indiana State University have been consistent with his interactions with all state and private universities in Indiana. Both his current and immediate past roles required him to regularly engage with both finance and government affairs professionals from all seven public institutions of higher education. All decision-making responsibilities were tied to formal Commission actions at public meetings.

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

Mr. Hinshaw's prospective employer is Indiana State University, and his title would be Vice President for Finance and Administration. In this position, Mr. Hinshaw would develop revenue and cost strategies to create operational efficiencies and maximize resources to support the University; provide effective stewardship of ISU's resources; and build a strong team with the ability to collaborate across the institution and provide services and support to the University community, including the business functions of



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accounting, budgeting, investing, procurement, facility operations, capital planning and construction, payroll, audit, and human resources.

1. 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:

Mr. Hinshaw's role with Indiana State University would involve interaction with CHE, and to a lesser extent, the Office of the Secretary of Education. CHE is a coordinating body whose statutory responsibilities includes "plan[ing] for and coordinat[ing] Indiana's state supported system of postsecondary education." Mr. Hinshaw's leadership role with the prospective employer would necessitate some level of planning, coordinating, and interaction with CHE staff and commission members. This interaction would likely focus on financial aid policies, performance funding, capital planning and review (which would include presentations both to CHE and separately to the State Budget Committee), biennial budget development, legislative reports, and other matters where the chief financial officer of a state university would be expected to engage with the state government. Though he would serve as signatory on contracts between Indiana State University and the state, he would not be involved in negotiating contracts and the like with CHE, as those details are generally coordinated by program staff at both the university and agency.

Mr. Hinshaw's ability to impact discretionary decisions made by the agency based on his work product with the prospective employer will be minimal. The Commission, as a coordinating board, indirectly impacts university operations through policy advocacy, coordination, and sharing of best practices. Because the Commission is not a regulatory body, Mr. Hinshaw's potential influence will have limited impact on any discretionary decisions made by the Commission. Mr. Hinshaw's prospective role has responsibility over capital management and planning, which will require the state's review of capital projects exceeding certain thresholds; however, those projects must also be reviewed by the State Budget Committee, State Budget Agency, and Governor, thus limiting the discretionary nature of the single agency decision.

2. 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:

Mr. Hinshaw's prospective employment is beneficial to both the state and the public. As previously mentioned, CHE's purpose is to coordinate post-secondary education across the state of Indiana. Effective coordination includes strong relationships between key university leaders, shared knowledge of key state strategies and goals, and clear understanding of state funding streams and priorities.

Mr. Hinshaw's experience in state government in these key roles will ensure the state's vision and priorities will continue to be shared with one of its state educational institutions, a key partner in the state's workforce strategy, and will strengthen Indiana State University's financial operations



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as the university's new administration establishes its strategic priorities. Not only will Indiana State University and its students be well served, but the state and Hoosier taxpayers will benefit from the efforts to improve the university's fiscal health and maximize state-provided resources.

Conversely, denying a waiver in these circumstances and preventing Mr. Hinshaw from employment with a state university could serve to dissuade others from working for CHE in such a senior role in the future.

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

Denying this waiver request would provide an economic hardship for Mr. Hinshaw as he would not have the opportunity to further his career in a meaningful way outside of state government or leaving Indiana for opportunities with out-of-state educational institutions. As his interactions with Indiana State University have been the same as at all other state and private institutions in Indiana, barring this opportunity would effectively bar him from all finance-related positions with Indiana's educational institutions, severely limiting Mr. Hinshaw's professional prospects and growth.

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.

Dr. Katie Jenner, as Appointing Authority
Secretary of Education

June 4, 2025

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).

Dr. Matthew Butler
Indiana Commission for Higher Education

06/04/25
Date

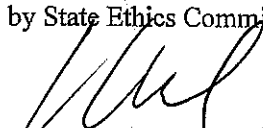


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Dr. Katie Jenner, Secretary of Education

FOR OFFICE USE ONLY

Approved by State Ethics Commission


Katherine Noel, Chair, State Ethics Commission

6-12-25
Date

Mail to:

Office of Inspector General
315 West Ohio Street, Room 104
Indianapolis, IN 46202
OR

Email scanned copy to:
info@ig.in.gov

*Upon receipt you will be contacted
with details regarding the*



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June 4, 2025

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

Re: Designation Letter

Dear Commissioners:

I serve as Secretary of Education and am the appointing authority for the staff of the Office of Education, including my Chief Financial Officer, Seth Hinshaw. I have submitted a post-employment waiver for Mr. Hinshaw for your consideration.

While I will be unable to attend the State Ethics Commission's meeting on June 12, 2025, I hereby designate Josh Garrison, Chief of Staff for the Office of Education, to present the above-referenced waiver on my behalf. Please feel free to direct any questions concerning the filing to Mr. Garrison.

Thank you for your consideration of this waiver request.

Sincerely,

Katie Jenner
Secretary of Education