

**INDIANA DEPARTMENT OF CHILD SERVICES
ADMINISTRATIVE POLICIES AND PROCEDURES**

Policy Number: HR 3-3

Effective Date: August 1, 2022

Version: 4.0

POLICY TITLE: POLITICAL ACTIVITY

OVERVIEW: In accordance with state law, Indiana Department of Child Services (DCS) employees may not engage in any political activities when on duty or acting in an official capacity. Furthermore, state law restricts an employee's participation in certain political activities that might interfere with job performance. Questions surrounding political activity should be directed to the DCS Ethics Officer or the Indiana Office of Inspector General (OIG).

I. DEFINITIONS

The Hatch Act: The Hatch Act is a federal statute that restricts the political activity of an individual whose principal employment is in connection with an activity which is funded completely by federal funds or grants.

II. REFERENCES

- A. [IC 4-2-6-5.5: Conflict of interest; advisory opinion by commission](#)
- B. [IC 4-15-10-2: Political activities](#)
- C. [5 U.S.C. § 7321–7326: Federal Hatch Act](#)
- D. [42 IAC 1-5-4: Political Activity](#)
- E. [Indiana Office of Inspector General: Political Activities of State Employees](#)
- F. [The Office of the Indiana Attorney General: Dual Office Holding Guide](#)

III. POLICY

- A. DCS employees must comply with the requirements governing political activity found in federal and state law, Indiana Administrative Code (IAC), and the DCS Code of Conduct. Although some activities may be permitted under the Hatch Act, only the United States (U.S.) Office of Special Counsel can issue guidance. Employees may seek a [Hatch Act advisory opinion](#).

Note: Some positions may not be permitted, as outlined in the [Dual Office Holding Guide](#).

- B. DCS employees may not engage in political activity when on duty or acting in their official capacity. Employees must consider how political activity may involve other ethics rules including, but not limited to: use of state time and equipment, conflicts of interest, prohibitions on accepting gifts, and confidentiality.
- C. DCS employees may not:
 - 1. Solicit political contributions from other employees;
 - 2. Post or display political materials in DCS offices or other DCS facilities;
 - 3. Wear political buttons or attire at work;
 - 4. Use state equipment and/or resources owned by DCS for political activity;
 - 5. Solicit political contributions at any time from persons or entities who have a business relationship with DCS; or
 - 6. Directly or indirectly request that subordinates assist, in any way, with a campaign for a political party or candidate.

- D. DCS employees may outside of work hours:
 - 1. Express political opinions by voting, wearing political buttons, and displaying stickers and posters;
 - 2. Campaign for and hold an office in political clubs and organizations, subject to the restrictions outlined above in section C;
 - 3. Contribute money to political organizations and attend political fundraising functions;
 - 4. Run for public office in an election; and/or
 - 5. Actively campaign for candidates for public office in an election as long as they do not reference their DCS employment.
- E. No employee will be appointed to, demoted, or dismissed from any position, or in any way be favored or discriminated against with respect to employment, because of their political opinions or affiliations.
- F. Failure to comply with the above may violate federal and or state law, IAC, and/or the DCS Code of Conduct, and may result in disciplinary action, up to and including dismissal.

IV. PROCEDURE

- A. Employees running for an elected office or formally involved in partisan politics will immediately:
 - 1. Notify the DCS Ethics Officer at ethics@dcs.in.gov;
 - 2. Confirm with the fiscal department that their position is not completely federally funded. If so, the employee may need to seek a [Hatch Act advisory opinion](#);
 - 3. Seek an advisory opinion from the [Indiana Office of Inspector General](#);
 - 4. Complete a request for supplemental employment if receiving compensation, and follow the instructions on the [Supplemental Employment Authorization](#) form: and
 - 5. Consult the [Dual Office Holding Guide](#).
- B. Violations of this policy shall be reported to the [DCS Ethics Officer](#) or the [Indiana Office of Inspector General](#).

APPROVED

Date: 7/13/2022

Terry Stigdon, Director
Department of Child Services