

INDIANA
STATE ETHICS COMMISSION

DEC 11 2019



**ETHICS DISCLOSURE STATEMENT
CONFLICTS OF INTEREST – DECISIONS AND VOTING**
State Form 55860 (R / 10-15)
OFFICE OF THE INSPECTOR GENERAL
IC 4-2-6-9

FILED

In accordance with IC 4-2-6-9, you must file your disclosure with the State Ethics Commission no later than seven (7) days after the conduct that gives rise to the conflict. You must also include a copy of the notification provided to your agency appointing authority and ethics officer when filing this disclosure. This disclosure will be posted on the Inspector General's website.

Name (last) Ernest	Name (first) Byron	Name (middle) L.	
Name of office or agency Indiana State Board of Education		Job title Board Member	
Address of office (number and street) 143 West Market Street		City Indianapolis	ZIP code 46204
Office telephone number (317) 232-2000	Office e-mail address (required) bernest@sboe.in.gov		

Describe the conflict of interest:
Dr. Ernest is currently employed with a company known as Noble Education Initiative ("NEI"). The focus of this position is teacher recruitment and teacher professional development.

NEI is a Delaware not-for-profit company doing business in states across the country, including Indiana. NEI provides a wide range of services including leadership, curriculum, career-tech program development, in addition to classroom and grant management, data analysis, auditing/evaluation, and school operations.

Indiana Code 4-2-6-9 (Conflict of economic interest; commission advisory opinions; disclosure statement; written determinations) states in relevant part:

(a) A state officer, an employee, or a special state appointee may not participate in any decision or vote, or matter relating to that 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:

(3) A business organization in which the state officer, employee, or special state appointee is serving as an officer, a director, a member, a trustee, a partner, or an employee.

During the December 6, 2019, Board meeting, an action agenda item labeled "D. School Turnaround: Emma Donnan" was presented to the Board for a vote. Emma Donnan is a turnaround academy operated by CSUSA. Due to Dr. Ernest's affiliation with NEI, and in accordance with the screening procedures outlined in this document, when the Board reached this agenda item, Dr. Ernest recused himself from the vote concerning action item D.

Describe the screen established by your ethics officer: (Attach additional pages as needed.)

1. The Board's Ethics Officer shall monitor Dr. Ernest's involvement in any matter involving CSUSA or NEI to ensure that the screening procedures are followed
2. If any matter regarding CSUSA, including CSUSA's current contract, is presented to the Board for a vote or decision, Dr. Ernest will recuse himself from the vote and discussion, as well as submit an Ethics Disclosure Statement with the OIG
3. If any matter regarding NEI is presented to the Board for a vote or decision, Dr. Ernest will recuse himself from the vote and discussion, as well as submit an Ethics Disclosure Statement with OIG
4. Dr. Ernest will not be permitted access to any confidential information concerning CSUSA or NEI without the written approval of the Board's Ethics Officer
5. Board staff will screen Dr. Ernest from any and all involvement in matters involving CSUSA and NEI; further Board staff will refrain from any discussion in Dr. Ernest's presence that might be related to matters involving CSUSA or NEI
6. The involvement of Dr. Ernest on the Board and employment with NEI shall not serve as an endorsement by the Board of NEI or CSUSA
7. The Board's Ethics Officer will provide written notice to the OIG anytime the screening procedures are implemented
8. These screening procedures shall remain in place for the duration of Dr. Ernest's employment with NEI and his service as a Board member

All aspects of the screening process were adhered to by Dr. Ernest and the Board's Ethics Officer.

AFFIRMATION

Your signature below affirms that your disclosures on this form are true, complete, and correct to the best of your knowledge and belief. In addition to this form, you have attached a copy of your written disclosure to your agency appointing authority and ethics officer.

Signature of state officer, employee or special state appointee

Date signed (month, day, year)

Printed full name of state officer, employee or special state appointee

Dr. Byron L. Ernest

12/4/2019

FOR ETHICS OFFICER USE ONLY

Your signature below affirms that you have reviewed this disclosure form and that it is true, complete, and correct to the best of your knowledge and belief. You also attest that your agency has implemented the screen described above.

Signature of ethics officer

Date signed (month, day, year)

Printed full name of ethics officer

Timothy A. Schultz

Timothy Schultz

12/4/19

From: [Dr. Byron L. Ernest](#)
To: [Schultz, Timothy A](#)
Cc: [Murphy, Brian \(SBOE\)](#)
Subject: Intent To Recuse
Date: Tuesday, December 3, 2019 12:45:36 PM

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Good afternoon,

Please let this serve as my notification of intention to recuse myself from the vote on the turnaround agenda item at tomorrow's (12/4/19) Indiana State Board of Education Meeting.

Positively,
Byron

Dr. Byron L. Ernest
Indiana State Board of Education
20-19-2-2.2 (a)(3)