

JUL 09 2019

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**ETHICS DISCLOSURE STATEMENT
CONFLICTS OF INTEREST – DECISIONS AND VOTING**
State Form 55880 (R / 10-15)
OFFICE OF THE INSPECTOR GENERAL
IC 4-2-6-9

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) Smith	Name (first) Zach	Name (middle)
Name of office or agency Indiana Commission for Higher Education		Job title Director of Legislation and Program Implementation
Address of office (number and street) 101 W Ohio Street, Suite 300		City Indianapolis
Office telephone number (317) 232-1069		ZIP code 46204
Office e-mail address (required) zsmith@che.in.gov		

Describe the conflict of interest:

Zach Smith is the Director of Legislation and Program Implementation for the Commission. He recently applied for the job of Associate Director for Government Relations with Indiana University.

On the afternoon of July 2, Smith had a second round interview with Indiana University and shortly after received the job offer from IU beginning his negotiations with the institution.

While the "cooling off" period under IC 4-2-6-11(b)(1) regarding lobbying and IC 4-2-6-11(b)(3) regarding regulatory or licensing decisions does not apply to Smith's current role nor the commission generally, we are disclosing based on IC 4-2-6-11(b)(2) regarding the administration of a contract and IC 4-2-6-11(c) regarding the particular matter restrictions.

Smith worked on a Gallup Alumni Survey which provided funds to institutions who chose to participate in the survey. The institutions that chose to participate, which included IU, entered into a contract with the Commission and received subsidies funded by Strada and the Commission to perform the work required by the contract. Smith, at the direction of his supervisors over the years, coordinated with the institutions on behalf of the Commission to identify participants and to collect and provide signed contracts to the CHE finance team. In addition, Smith scored the grant requests the Commission received for institutions applying for a STEM grant, which is funded through state appropriations.

The Indiana University Foundation has been a recipient of the STEM grant in the past. The last time Smith participated in the STEM grant scoring was in 2017.

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

After notice was given to Smith's immediate supervisor Josh Garrison and the Commission's Ethics Officer Alecia Nafziger regarding an interview with IU, Nafziger reached out to the Office of the Inspector General (OIG) regarding guidance and options to pursue in determining if an ethics issue or potential conflict of interest had occurred. After talking with the OIG, it was agreed upon to seek an informal opinion on Smith's situation, which required an analysis of all Smith's interaction with IU.

After the analysis, it was determined verbally that Smith would cease working on the renewal of the Gallup contracts with the institutions of which IU was included. Garrison and Eugene Johnson, another member of Garrison's team, will pick up the project after screening out Smith. Garrison later followed up with an email to Smith and Nafziger formally stating that Smith would no longer be working on the Gallup project, and they would schedule a meeting to transition all follow up items.

In previous years, Smith was also part of scoring the STEM grant applications of which the Indiana University Foundation was a recipient in the past. This year, Smith will be screened out of the process, and Garrison will identify another CHE employee to participate in the scoring to replace Smith.

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

Zachary T. Smith

Date signed (month, day, year)

7/9/2019

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

Zachary T. Smith

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

Alecia Nafziger

Date signed (month, day, year)

7/9/19

Printed full name of ethics officer

Alecia Nafziger

Baker, Nathaniel P

From: Garrison, Joshua (CHE)
Sent: Wednesday, July 3, 2019 11:21 AM
To: Smith, Zach (CHE)
Cc: Nafziger, Alecia (CHE)
Subject: Gallup

Per our conversation and out of an abundance of caution, please stop all work on the Gallup project. I will schedule a meeting for later today to discuss any outstanding items.

Thank you,

-Josh

Joshua Garrison
Associate Commissioner
Indiana Commission for Higher Education
101 West Ohio Street, Suite 300
Indianapolis, IN 46204-4206
(317) 234-8232
jgarrison@che.in.gov
www.che.in.gov

Baker, Nathaniel P

From: Nafziger, Alecia (CHE)
Sent: Wednesday, July 10, 2019 9:47 AM
To: Lubbers, Teresa (CHE)
Cc: Garrison, Joshua (CHE); Smith, Zach (CHE)
Subject: Disclosure Form - Zach Smith
Attachments: Signed Disclosure Form - Zach Smith.pdf

Commissioner,

Attached is a disclosure form that we're filing with the OIG's office on behalf of Zach Smith as a result of his recent interactions with IU. Per the disclosure form directions, a copy of the form must be sent to you as well.

Thanks,

Alecia Nafziger

Associate Commissioner and CFO
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