

## **IC 20-20-15**

### Chapter 15. Corporation for Educational Technology

#### **IC 20-20-15-1**

##### **"Board"**

Sec. 1. As used in this chapter, "board" refers to the board of directors of the corporation.

*As added by P.L.1-2005, SEC.4.*

#### **IC 20-20-15-2**

##### **"Corporation"**

Sec. 2. As used in this chapter, "corporation" refers to the corporation for educational technology established under section 3 of this chapter.

*As added by P.L.1-2005, SEC.4.*

#### **IC 20-20-15-3**

##### **Establishment of corporation; precondition for performance of functions**

Sec. 3. (a) The state superintendent may, on behalf of the state, establish a private nonprofit corporation named "the corporation for educational technology".

(b) Upon:

- (1) the establishment of the corporation;
- (2) the corporation satisfying the conditions imposed by section 4 of this chapter; and
- (3) the state superintendent certifying the corporation;

the corporation may perform the functions set forth in section 5 of this chapter.

(c) Before certification by the state superintendent, the corporation must conduct a public hearing to give all interested parties an opportunity to review and comment on the articles of incorporation, bylaws, and methods of operation of the corporation. Notice of the hearing must be given at least fourteen (14) days before the hearing in accordance with IC 5-14-1.5-5(b).

*As added by P.L.1-2005, SEC.4.*

#### **IC 20-20-15-4**

##### **Articles of incorporation and bylaws**

Sec. 4. The articles of incorporation and bylaws of the corporation must provide for the following:

- (1) That the exclusive purposes of the corporation are to:
  - (A) administer a statewide computer project placing computers in homes of public school students (commonly referred to as the "buddy system project") and any other educational technology program or project jointly authorized by the state superintendent and the governor; and
  - (B) advise the state superintendent and the governor on education related technology initiatives, specifically those initiatives implemented through the educational technology

program under IC 20-20-13.

(2) That the board is composed of sixteen (16) individuals who serve at the pleasure of the state superintendent and the governor and who shall be appointed jointly by the state superintendent and the governor as follows:

(A) Four (4) individuals who represent private business.

(B) Three (3) individuals who are public school educators with one (1) representing an urban school corporation, one (1) representing a suburban school corporation, and one (1) representing a rural school corporation.

(C) Four (4) individuals who are members of the general assembly and who are appointed as follows:

(i) Two (2) members of the house of representatives, appointed by the speaker of the house of representatives with not more than one (1) from a particular political party.

(ii) Two (2) members of the senate, appointed by the president pro tempore of the senate with not more than one (1) from a particular political party.

(D) Five (5) individuals who represent education.

(3) That the state superintendent shall designate the chair of the board from the membership of the board.

(4) That the board may select other officers the board considers necessary, including a vice chair, treasurer, or secretary.

(5) That the chair of the board may appoint subcommittees that the chair considers necessary to carry out the duties of the corporation.

(6) That the corporation, with the approval of the state superintendent, shall appoint or contract with a person to be president. The president shall serve as the chief operating officer of the corporation and may employ consultants to carry out the corporation's duties under this chapter.

(7) That a majority of the entire membership constitutes a quorum to do business. However, an action of the corporation is not valid unless approved by at least nine (9) members of the corporation.

(8) That each board member who is not a state employee is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). Such a member is, however, entitled to reimbursement for traveling expenses and other expenses actually incurred in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

(9) That each member of the board who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

(10) That each member of the board who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on interim study committees established by the legislative council.

(11) That the corporation may receive money from any source, including state appropriations, may enter into contracts, and may expend funds for any activities necessary, convenient, or expedient to carry out the exclusive purposes of the corporation.

(12) That an individual who makes a donation to the corporation may designate:

(A) the particular school corporation; or

(B) the educational technology program implemented by the corporation under IC 20-20-13;

to receive the donation, and that the corporation may not authorize the distribution of that donation in a manner that disregards or otherwise interferes with the donor's designation. However, an individual who wishes to make a donation under this chapter is not entitled to specify, designate, or otherwise require that the corporation use the donation to purchase particular technology equipment or patronize a particular vendor of technology equipment.

(13) That if the corporation elects to expend funds that have not been designated to a particular school corporation or educational technology program under IC 20-20-13, the corporation shall first expend those unspecified funds to school corporations or programs that have not been the recipient of a designated donation under subdivision (12).

(14) That the corporation shall take into account other programs and distributions available to school corporations for at risk students.

(15) That any changes in the articles of incorporation or bylaws must be approved by the board.

(16) That the corporation shall submit an annual report to the general assembly before November 2 of each year and that the report must include detailed information on the structure, operation, and financial status of the corporation and must be in an electronic format under IC 5-14-6.

(17) That the corporation is subject to an annual audit by the state board of accounts, and that the corporation shall pay the full costs of the audit.

*As added by P.L.1-2005, SEC.4.*

#### **IC 20-20-15-5**

##### **Functions of corporation**

Sec. 5. The corporation, after being certified by the state superintendent under section 3 of this chapter, may do the following:

(1) Take over the responsibilities and obligations associated with the project commonly referred to as the "buddy system project" as described in section 4(1)(A) of this chapter, which

may include the following relating to the buddy system project:

(A) Conducting conferences on advances in technology and their application to the educational field.

(B) Upon the joint authorization by the state superintendent and the governor, establishing, operating, or managing education technology programs that:

(i) encourage the productive use of technology for instructing students in kindergarten through grade 12;

(ii) place technology directly with teachers and students, whether in school or otherwise to advance the education and skills and enhance the attitude of Indiana students who are in kindergarten through grade 12; or

(iii) accomplish both of the objectives described in items (i) and (ii).

(2) Administer all funds received by the corporation from whatever source to further the corporation's purposes, consistent with section 4(12) and 4(13) of this chapter.

*As added by P.L.1-2005, SEC.4.*

#### **IC 20-20-15-6**

##### **Direction of funds to educational technology program**

Sec. 6. In administering the funds received by the corporation, the corporation may elect to direct corporation funds to the educational technology program under IC 20-20-13 in order to further the purposes of the educational technology program.

*As added by P.L.1-2005, SEC.4.*

#### **IC 20-20-15-7**

##### **Debts of corporation**

Sec. 7. Debts incurred by the corporation under authority of this chapter do not represent or constitute a debt of the state within the meaning of Indiana statutes or the Constitution of the State of Indiana.

*As added by P.L.1-2005, SEC.4.*