

IC 22-4-18.1

Chapter 18.1. State Workforce Innovation Council

IC 22-4-18.1-1

"Applicable federal program" defined

Sec. 1. As used in this chapter, "applicable federal program" refers to the federal human resource programs for which the council has authority to make recommendations as listed in section 4 of this chapter.

As added by P.L.38-1993, SEC.58.

IC 22-4-18.1-2

"Council" defined

Sec. 2. As used in this chapter, "council" refers to the state workforce innovation council established by section 3 of this chapter.

As added by P.L.38-1993, SEC.58. Amended by P.L.161-2006, SEC.7.

IC 22-4-18.1-3

Council; establishment; purpose and duties

Sec. 3. The state workforce innovation council is established under the applicable federal programs to do the following:

- (1) Review the services and use of funds and resources under applicable federal programs and advise the governor on methods of coordinating the services and use of funds and resources consistent with the laws and regulations governing the particular applicable federal programs.
- (2) Advise the governor on:
 - (A) the development and implementation of state and local standards and measures; and
 - (B) the coordination of the standards and measures; concerning the applicable federal programs.
- (3) Perform the duties as set forth in federal law of the particular advisory bodies for applicable federal programs described in section 4 of this chapter.
- (4) Identify the workforce needs in Indiana and recommend to the governor goals to meet the investment needs.
- (5) Recommend to the governor goals for the development and coordination of the human resource system in Indiana.
- (6) Prepare and recommend to the governor a strategic plan to accomplish the goals developed under subdivisions (4) and (5).
- (7) Monitor the implementation of and evaluate the effectiveness of the strategic plan described in subdivision (6).
- (8) Advise the governor on the coordination of federal, state, and local education and training programs and on the allocation of state and federal funds in Indiana to promote effective services, service delivery, and innovative programs.
- (9) Administer the minority training grant program established by section 11 of this chapter.
- (10) Administer the back home in Indiana program established

by section 12 of this chapter.

(11) Any other function assigned to the council by the governor with regard to the study and evaluation of Indiana's workforce development delivery system.

As added by P.L.38-1993, SEC.58. Amended by P.L.96-2004, SEC.19; P.L.161-2006, SEC.8.

IC 22-4-18.1-4

Council; designated as state advisory body under specified federal laws; administration of programs

Sec. 4. (a) The council shall serve as the state advisory body required under the following federal laws:

(1) The Workforce Investment Act of 1998 under 29 U.S.C. 2801 et seq., including reauthorizations of the Act.

(2) The Wagner-Peyser Act under 29 U.S.C. 49 et seq.

(3) The Carl D. Perkins Vocational and Applied Technology Act under 20 U.S.C. 2301 et seq.

(4) The Adult Education and Family Literacy Act under 20 U.S.C. 9201 et seq.

(b) In addition, the council may be designated to serve as the state advisory body required under any of the following federal laws upon approval of the particular state agency directed to administer the particular federal law:

(1) The National and Community Service Act of 1990 under 42 U.S.C. 12501 et seq.

(2) Part A of Title IV of the Social Security Act under 42 U.S.C. 601 et seq.

(3) The employment and training programs established under the Food Stamp Act of 1977 under 7 U.S.C. 2011 et seq.

(c) The council shall administer the minority training grant program established by section 11 of this chapter and the back home in Indiana program established by section 12 of this chapter.

As added by P.L.38-1993, SEC.58. Amended by P.L.96-2004, SEC.20; P.L.161-2006, SEC.9.

IC 22-4-18.1-5

Council membership

Sec. 5. (a) Subject to subsections (b) and (c), the membership of the state workforce innovation council established under section 3 of this chapter consists of the representatives required by the Workforce Investment Act (29 U.S.C. 2801 et seq.), including reauthorizations of the Act, and must represent the diverse regions of Indiana.

(b) The state superintendent of public instruction or the superintendent's designee serves as a member of the state workforce innovation council.

(c) An individual designated by the governor who has been nominated by a recognized adult education organization serves as a member of the state workforce innovation council.

As added by P.L.38-1993, SEC.58. Amended by P.L.179-1999, SEC.3; P.L.161-2006, SEC.10; P.L.7-2011, SEC.18.

IC 22-4-18.1-6

Council; members; term of office; vacancies

Sec. 6. (a) The governor shall appoint members to the council for two (2) year terms. The terms must be staggered so that the terms of half of the members expire each year.

(b) The governor shall promptly make an appointment to fill any vacancy on the council, but only for the duration of the unexpired term.

As added by P.L.38-1993, SEC.58. Amended by P.L.161-2006, SEC.11.

IC 22-4-18.1-6.5

Council; meetings; remote participation

Sec. 6.5. (a) This section applies to a meeting of the council at which at least half of the members appointed to the council are physically present at the place where the meeting is conducted.

(b) A member of the council may participate in a meeting of the council using a means of communication that permits:

(1) all other members of the council participating in the meeting; and

(2) all members of the public physically present at the place where the meeting is conducted;

to simultaneously communicate with each other during the meeting.

(c) A member who participates in a meeting under subsection (b) is considered to be present at the meeting and may vote on any matter properly presented during the meeting.

(d) A member who participates in a meeting under subsection (b) shall confirm in writing not more than five (5) days after the date of the meeting the votes cast by the member during the meeting. The member may send the confirmation by United States mail or facsimile.

(e) A member shall attend at least three (3) meetings of the council during a calendar year in person.

(f) The memorandum of the meeting prepared under IC 5-14-1.5-4 must also state the name of each member who:

(1) was physically present at the place where the meeting was conducted;

(2) participated in the meeting using a means of communication described in subsection (b); and

(3) was absent.

As added by P.L.161-2006, SEC.12.

IC 22-4-18.1-7

Employment of professional, technical, and clerical personnel; contracting for services; financial oversight

Sec. 7. (a) Except as provided in subsection (b) and subject to the approval of the commissioner of the department of workforce development, the state personnel department, and the budget agency, the council may employ professional, technical, and clerical personnel necessary to carry out the duties imposed by this chapter

using the following:

- (1) Funds available under applicable federal and state programs.
- (2) Appropriations by the general assembly for this purpose.
- (3) Funds in the state technology advancement and retention account established by IC 4-12-12-1.
- (4) Other funds (other than federal funds) available to the council for this purpose.

(b) Subject to the approval of the commissioner of the department of workforce development and the budget agency, the council may contract for services necessary to implement this chapter.

(c) The council is subject to:

- (1) the allotment system administered by the budget agency; and
- (2) financial oversight by the office of management and budget.

As added by P.L.38-1993, SEC.58. Amended by P.L.21-1995, SEC.96; P.L.96-2004, SEC.21; P.L.161-2006, SEC.13.

IC 22-4-18.1-8

Council members; per diem and reimbursement of expenses

Sec. 8. (a) Any member of the council who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). Such a member is also entitled to reimbursement for traveling expenses under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(b) Any member of the council who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(c) Any member of the council 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.

As added by P.L.38-1993, SEC.58.

IC 22-4-18.1-9

Bylaws and rules; advisory committees

Sec. 9. The council shall adopt bylaws and rules governing the council's organization and operation, including bylaws and rules governing the establishment of advisory committees considered necessary by the council, scheduling of council meetings, and other activities necessary to implement this chapter.

As added by P.L.38-1993, SEC.58.

IC 22-4-18.1-10

Certification to federal official of establishment and membership of council

Sec. 10. The state shall certify to:

- (1) the United States Secretary of Labor the establishment and membership of the council at least ninety (90) days before the beginning of each period of two (2) program years for which a job training plan is submitted under this chapter; and
- (2) any other appropriate United States Secretary charged with administering a particular applicable federal program the establishment and membership of the council.

As added by P.L.38-1993, SEC.58.

IC 22-4-18.1-11

Grants for minority training programs

Sec. 11. (a) For purposes of this section, "minority student" means a student who is a member of at least one (1) of the following groups:

- (1) Blacks.
- (2) American Indians.
- (3) Hispanics.
- (4) Asian Americans.
- (5) Other similar racial groups.

(b) The council shall develop a program to provide grants from the state technology advancement and retention account established by IC 4-12-12-1 for minority training programs for minority students. The grants must be used as follows:

- (1) Thirty-five percent (35%) for programs designed to enhance training in technology advancement for minority students.
- (2) Sixty-five percent (65%) for generalized training programs for minority students.

(c) The council shall adopt policies under which recipients may apply for and receive the grants.

(d) Grants issued under this section are subject to approval by the budget agency.

As added by P.L.96-2004, SEC.22.

IC 22-4-18.1-12

Back home in Indiana program; grants

Sec. 12. (a) The council shall develop a program to provide for grants from the state technology advancement and retention account established by IC 4-12-12-1 or contracts to develop a back home in Indiana program. The program must provide a system to track students who have graduated from private and public colleges and universities in Indiana. The program must include a means of periodically contacting these graduates to inform them of job opportunities in Indiana.

(b) The council shall work with the colleges and universities in Indiana to develop the tracking system.

(c) Grants issued under this section are subject to approval by the budget agency.

As added by P.L.96-2004, SEC.23.