

## **IC 31-26-6**

### Chapter 6. Regional Service Strategic Plans

#### **IC 31-26-6-1**

##### **"Plan"**

Sec. 1. As used in this chapter, "plan" includes a regional services strategic plan to achieve the purposes described in section 5 of this chapter and any implementation strategy, revision, addition, or update of the plan, as described in section 12(a) of this chapter.

*As added by P.L.146-2008, SEC.571.*

#### **IC 31-26-6-2**

##### **"Regional services council"**

Sec. 2. As used in this chapter, "regional services council" means a council appointed as provided in section 7 of this chapter.

*As added by P.L.146-2008, SEC.571.*

#### **IC 31-26-6-3**

##### **"Service region"**

Sec. 3. As used in this chapter, "service region" means an area of Indiana consisting of one (1) or more counties.

*As added by P.L.146-2008, SEC.571.*

#### **IC 31-26-6-4**

##### **County participation in regional services council**

Sec. 4. (a) Each county shall participate in a regional services council established under this chapter for the service region in which the county is located.

(b) The department shall determine the county or counties that comprise each service region. A county may not be divided when establishing a service region.

*As added by P.L.146-2008, SEC.571.*

#### **IC 31-26-6-5**

##### **Biennial regional services strategic plan required**

Sec. 5. Each regional services council shall develop a biennial regional services strategic plan that is tailored to provide services targeted to the individual needs of children who:

(1) have been either:

(A) adjudicated as, or alleged in a proceeding initiated under IC 31-34 or IC 31-37 to be, children in need of services or delinquent children; or

(B) identified by the department, based on information received from:

(i) a school;

(ii) a social service agency;

(iii) a court;

(iv) a probation department;

(v) the child's parent or guardian; or

(vi) an interested person in the community having

- knowledge of the child's environment and family circumstances;
- and after an informal investigation, as substantially at risk of becoming children in need of services or delinquent children; and
- (2) have been referred to the department by, or with the consent of, the child's parent, guardian, or custodian for services to be provided through the plan based on an individual case plan for the child.

*As added by P.L.146-2008, SEC.571.*

#### **IC 31-26-6-6**

##### **Evaluation of needs; determination of appropriate delivery mechanisms; recommendation regarding allocation and distribution of funds**

Sec. 6. (a) Each regional services council shall, according to guidelines and policies established by the department, include in its plan an evaluation of local child welfare service needs and a determination of appropriate delivery mechanisms. The policies shall provide an opportunity for local services providers to be represented in the evaluation of local child welfare service needs. In addition, the regional services council shall take public testimony regarding local service needs and system changes.

(b) The council shall also recommend in the plan, or any revision, addition, or update relating to implementation of a plan under section 12(a) of this chapter, the allocation and distribution among service providers of funds that:

- (1) the department allocates to the service region; and
- (2) are used to pay for the expenses of child welfare programs and child services administered by the department within the region.

*As added by P.L.146-2008, SEC.571.*

#### **IC 31-26-6-7**

##### **Members of regional services council**

Sec. 7. (a) If the service region consists of at least three (3) counties, the regional services council is composed of the following members appointed from the service region:

- (1) The regional manager, who must be an employee of the department.
- (2) Three (3) members who are juvenile court judges or their designees.
- (3) Three (3) local office directors.
- (4) Two (2) family case manager supervisors.
- (5) Two (2) family case managers.
- (6) Two (2) licensed foster parents.
- (7) One (1) guardian ad litem or court appointed special advocate.
- (8) One (1) member who is a prosecuting attorney or the prosecuting attorney's designee.

- (9) One (1) individual who:
  - (A) is at least sixteen (16) and less than twenty-five (25) years of age;
  - (B) is a resident of the service region;
  - (C) has received or is receiving services through funds provided, directly or indirectly, through the department; and
  - (D) will serve in a nonvoting capacity.

(b) If the service region consists of one (1) or two (2) counties, the regional services council must include at least the following members from the service region:

- (1) Three (3) employees of the department, including the regional manager.
- (2) One (1) juvenile court judge or judicial hearing officer.
- (3) Two (2) members who are designees of a juvenile court judge.
- (4) Two (2) family case manager supervisors.
- (5) Two (2) family case managers.
- (6) One (1) licensed foster parent.
- (7) One (1) person from each category described in subsection (a)(7), (a)(8), and (a)(9).

(c) The director shall appoint the members of the regional services council with the exception of judges or judicial hearing officers and prosecuting attorneys or their respective designees.

(d) The members of the regional services council described in subsections (a)(2), (b)(2), and (b)(3) shall be selected by the juvenile court judge or judges in the service region.

(e) The member of the regional services council described in subsection (a)(8) shall be selected by the prosecuting attorneys in the counties comprising the service region.

(f) Each member of the regional services council shall serve at the pleasure of the member's appointing authority.

*As added by P.L.146-2008, SEC.571.*

### **IC 31-26-6-8**

#### **Organizational meeting; chairperson of regional services council**

Sec. 8. (a) The regional manager shall convene an organizational meeting of the members of a regional services council appointed under section 7 of this chapter.

(b) The regional manager shall serve as the chairperson of the council. The council shall select one (1) of its members as vice chairperson.

*As added by P.L.146-2008, SEC.571.*

### **IC 31-26-6-9**

#### **Review and consideration of certain programs**

Sec. 9. In preparing the plan under section 5 of this chapter, a regional services council shall review and consider existing publicly and privately funded programs that are available or that could be made available in the regional services council's service region to provide supportive services to or for the benefit of children described

in section 5 of this chapter without removing the child from the family home, including programs funded through the following:

- (1) Title IV-B of the Social Security Act (42 U.S.C. 620 et seq.).
- (2) Title IV-E of the Social Security Act (42 U.S.C. 670 et seq.).
- (3) Title XX of the Social Security Act (42 U.S.C. 1397 et seq.).
- (4) The Child Abuse Prevention and Treatment Act (42 U.S.C. 5106 et seq.).
- (5) Special education programs under IC 20-35-6-2.
- (6) All programs designed to prevent child abuse, neglect, or delinquency, or to enhance child welfare and family preservation administered by, or through funding provided by, the department, county offices, prosecuting attorneys, or juvenile courts, including programs funded under IC 31-26-3.5 and IC 31-40.
- (7) A child advocacy fund under IC 12-17-17.

*As added by P.L.146-2008, SEC.571.*

#### **IC 31-26-6-10**

##### **Family preservation services**

Sec. 10. A regional services council may include in its plan a program for provision of family preservation services that:

- (1) is or will be in effect in the regional services council's service region;
- (2) includes services for a child less than eighteen (18) years of age who reasonably may be expected to be considered for out-of-home placement under IC 31-34 or IC 31-37 as a result of:
  - (A) abuse or neglect;
  - (B) emotional disturbance; or
  - (C) delinquency adjudication; and
- (3) addresses all the objectives of family preservation services.

*As added by P.L.146-2008, SEC.571.*

#### **IC 31-26-6-11**

##### **Transmission of plan by regional services council; action on plan by director of department**

Sec. 11. (a) Each regional services council shall transmit to the director each plan it develops and approves. The council shall transmit its biennial plan described in section 5 of this chapter to the director not later than February 2 of each even-numbered year.

(b) Not later than sixty (60) days after receiving the plan, the director of the department or the director's designee shall do one (1) of the following:

- (1) Approve the plan as submitted by the council.
- (2) Approve the plan with amendments, modifications, or revisions.
- (3) Return the plan to the council with directions concerning:

- (A) subjects for further study and reconsideration; and
- (B) resubmission of a revised plan.

*As added by P.L.146-2008, SEC.571.*

### **IC 31-26-6-12**

#### **Quarterly meetings; additional meetings; quorum; designation of representative or proxy; application of public meetings law**

Sec. 12. (a) A regional services council shall meet at least quarterly to do the following:

(1) Develop, review, or revise a strategy for implementation of an approved plan that identifies:

(A) the manner in which prevention and early intervention services will be provided or improved;

(B) how local collaboration will improve children's services; and

(C) how different funds can be used to serve children and families more effectively.

(2) Reorganize as needed and select its vice chairperson for the ensuing year.

(3) Review the implementation of the plan and prepare revisions, additions, or updates of the plan that the regional services council considers necessary or appropriate to improve the quality and efficiency of early intervention child welfare services provided in accordance with the plan.

(b) The chairperson or vice chairperson of a regional services council may convene any additional meetings of the regional services council that are, in the chairperson's or vice chairperson's opinion, necessary or appropriate.

(c) A majority of the voting members of the regional services council appointed under section 7 of this chapter constitutes a quorum for the transaction of official business that includes taking final action (as defined in IC 5-14-1.5-2(g)). The regional services council may hold a meeting in the absence of a quorum to discuss any items of public business related to its responsibilities and functions as described in this chapter, without taking final action.

(d) A judicial officer or prosecuting attorney who is a member of the regional services council under section 7 of this chapter may designate in writing a person as the member's representative or proxy to attend any meeting of the council specified in the designation. Any designee under this subsection shall be a voting member of the council and be included for purposes of a quorum under subsection (c).

(e) Any department employee who is a member of the regional services council under section 7 of this chapter may designate in writing a person as the member's representative or proxy to attend any meeting of the council specified in the designation. Any designee under this subsection shall be a voting member of the council and be included for purposes of a quorum under subsection (c).

(f) All meetings of a regional services council under this chapter are subject to applicable provisions of IC 5-14-1.5.

*As added by P.L.146-2008, SEC.571.*

### **IC 31-26-6-13**

#### **Participation in meeting by certain means of communication; memoranda of meeting**

Sec. 13. (a) This section applies to a meeting of a regional services council at which at least four (4) voting members of the council are physically present at the place where the meeting is conducted.

(b) A member of the regional services council may participate in a meeting of the council by using a means of communication that allows:

- (1) all other members participating in the meeting; and
- (2) all members of the public physically present at the place where the meeting is conducted;

to communicate simultaneously 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.

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

- (1) was physically present at the place where the meeting was conducted;
- (2) participated in the meeting by using a means of communication described in subsection (b); or
- (3) was absent.

*As added by P.L.146-2008, SEC.571.*

### **IC 31-26-6-14**

#### **Transmission of plan, annual report, and other documents**

Sec. 14. (a) A regional services council or the regional manager shall transmit copies of the plan, each annual report, each revised plan, and any other report or document described by rule adopted under section 16 of this chapter, to the following:

- (1) The director.
- (2) Each department office in the service region.
- (3) Each juvenile court in the service region.

(b) A regional services council shall provide to the department a copy of each plan, annual report, or revised plan transmitted under subsection (a) to be posted to the department's Internet web site.

*As added by P.L.146-2008, SEC.571.*

### **IC 31-26-6-15**

#### **Publicizing of plan**

Sec. 15. A regional services council shall publicize to residents of each county in the service region the existence and availability of the plan, including information concerning access to the plan on the department web site.

*As added by P.L.146-2008, SEC.571.*

### **IC 31-26-6-16**

**Rules**

Sec. 16. The department may adopt rules under IC 4-22-2 to administer this chapter.

*As added by P.L.146-2008, SEC.571.*