

### **IC 16-33-3**

#### **Chapter 3. Silvercrest Children's Development Center**

### **IC 16-33-3-1**

#### **Center defined**

Sec. 1. As used in this chapter, "center" refers to the Silvercrest children's development center.

*As added by P.L.2-1993, SEC.16.*

### **IC 16-33-3-2**

#### **Establishment**

Sec. 2. The Silvercrest children's development center is established as a state center.

*As added by P.L.2-1993, SEC.16.*

### **IC 16-33-3-3**

#### **Care provided**

Sec. 3. The center shall provide for the educational diagnosis, evaluation, assessment, short term remediation, referral, and care of children who may benefit from such service, but who, because of serious disabling conditions, cannot make satisfactory progress in the programs of public schools or special institutions of the state. The provision of services shall be for the purpose of properly referring these children to more appropriate programs operated by other agencies or institutions and providing reassessment of these children as indicated.

*As added by P.L.2-1993, SEC.16. Amended by P.L.23-1993, SEC.73; P.L.142-1995, SEC.14.*

### **IC 16-33-3-4**

#### **Administration**

Sec. 4. The state department shall administer the center. The state health commissioner, subject to IC 20-35-2, has complete administrative control and responsibility for the center.

*As added by P.L.2-1993, SEC.16. Amended by P.L.1-2005, SEC.144.*

### **IC 16-33-3-5**

#### **Programs of center**

Sec. 5. The center shall provide the following:

- (1) Educational diagnosis, needs assessment, evaluation, short term remediation, reassessment, referral, and follow-up, in cooperation with other agencies or institutions, necessary to assure continuity of services and proper placement.
- (2) Short term training and retraining allowable within the confines of the client's stay to permit the client to achieve maximum potential to benefit from the services of the receiving agency or institution.
- (3) Reassessment of clients whose behavioral needs, family structure, or services available at a receiving agency or institution change to the extent that the original assessment of

the client's needs are no longer descriptive or useful to the client, the client's family, or the receiving agency or institution.  
*As added by P.L.2-1993, SEC.16.*

#### **IC 16-33-3-6**

##### **Director; appointment and qualifications**

Sec. 6. (a) The director of the center is responsible for the immediate supervision of the center.

(b) The state health commissioner shall appoint the director of the center. The director of the center must possess the following qualifications:

- (1) The director must possess the appropriate knowledge, skill, and ability in education or rehabilitation.
- (2) The director must have experience and association with training programs for persons with multiple disabilities.
- (3) The director must have a master's degree or higher degree.
- (4) The director must be competent and qualified to provide the administrative services essential to the achievement of the center's intended goals.

*As added by P.L.2-1993, SEC.16. Amended by P.L.23-1993, SEC.74.*

#### **IC 16-33-3-7**

##### **Director; powers and duties**

Sec. 7. (a) The director of the center, subject to the approval of the state health commissioner, has complete charge and management of the center and is charged with the direction of the development program for the clients in attendance.

(b) The director of the center is the chief appointing authority for all employees necessary to properly conduct and operate the center.

*As added by P.L.2-1993, SEC.16.*

#### **IC 16-33-3-8**

##### **Clients; qualifications**

Sec. 8. Subject to the review and approval of the department of education and the state health commissioner or the commissioner's designee, the director of the center shall receive as clients in the center children with multiple disabilities who meet the following conditions:

- (1) Are expected to benefit from residence in the center as part of an individualized education program (as defined in IC 20-18-2-9).
- (2) Are residents of Indiana.
- (3) Possess at least two (2) major disabling conditions.
- (4) Are less than twenty-two (22) years of age.
- (5) Whose admissions have been approved by the department of education in accordance with the procedures implementing IC 20-35-6-2.

*As added by P.L.2-1993, SEC.16. Amended by P.L.23-1993, SEC.75; P.L.142-1995, SEC.15; P.L.291-2001, SEC.220; P.L.1-2005, SEC.145.*

### **IC 16-33-3-8.5**

#### **Placement review committee**

Sec. 8.5. (a) A placement review committee for the center is established. The committee consists of one (1) representative of each of the following:

- (1) The office of the secretary of family and social services.
- (2) The state department.
- (3) The superintendent of public instruction.

(b) The placement review committee shall meet on a quarterly basis to review the following:

- (1) Applications to the center denied through the process described in section 8 of this chapter.
- (2) All instances of dismissal from the center for reasons other than graduation, voluntary transition to another educational facility, or voluntary departure from the center.

(c) The director shall serve as an advisor to the placement review committee. The director shall provide the placement review committee with information and justification for all application denials and dismissals under review.

(d) The placement review committee may recommend that application denials or dismissals be reconsidered.

*As added by P.L.55-1997, SEC.6. Amended by P.L.253-1997(ss), SEC.17.*

### **IC 16-33-3-9**

#### **Duties of parents and center to provide for child's care**

Sec. 9. (a) The center shall provide tuition, board, room, laundry, and ordinary medical attention, including emergencies.

(b) The parents, guardian, or other persons shall provide medical, optical, and dental care involving special medication or prostheses.

(c) When a client is properly admitted to the center, the client's parents, guardian, responsible relative, or other person shall suitably provide the client with clothing at the time of the client's entrance into the center and during the client's stay at the center.

(d) The client's parent or guardian shall bear the cost of transportation not required by the client's individualized education program (as defined by IC 20-18-2-9). The school corporation in which the client has legal settlement shall bear the cost of transportation required by the client's individualized education program under IC 20-35-8-2.

(e) The client's parents, guardian, or responsible relative or other person shall provide incidental expense money needed by the client.

*As added by P.L.2-1993, SEC.16. Amended by P.L.1-2005, SEC.146.*

### **IC 16-33-3-10**

#### **Parents of child in center unable to pay for costs for services; payment by county**

Sec. 10. Whenever the circuit court having jurisdiction finds, upon application by the county office of the division of family resources, that the parent or guardian of a client placed in the center

is unable to meet the costs that the parent or guardian is required to pay for the services of the center, the court shall order payment of the costs from the county general fund.

*As added by P.L.2-1993, SEC.16. Amended by P.L.4-1993, SEC.236; P.L.5-1993, SEC.249; P.L.146-2008, SEC.436; P.L.44-2009, SEC.31.*

#### **IC 16-33-3-11**

##### **Gifts, legacies, devises, and conveyances**

Sec. 11. The director, subject to IC 4-24-3, may receive, for the use of the center, gifts, legacies, devises, and conveyances of real and personal property that may be made, given, or granted to or for the center or in the center's name.

*As added by P.L.2-1993, SEC.16.*