

## **IC 31-26-3.5**

### **Chapter 3.5. Child Welfare Programs**

#### **IC 31-26-3.5-1**

##### **"Child welfare program"**

Sec. 1. As used in this chapter, "child welfare program" means a program or an activity that is:

- (1) not a component of child services provided to or for the benefit of a particular child or family; and
- (2) designed to serve groups or categories of children or families in a community for the purposes described in section 2 of this chapter.

*As added by P.L.146-2008, SEC.570.*

#### **IC 31-26-3.5-2**

##### **Authority to establish and fund program; purposes of program**

Sec. 2. A child welfare program may be established and funded by the department for any of the following purposes:

- (1) Protecting and promoting the welfare of children in a community who are, or are likely to be, at risk of becoming homeless, neglected, or abused due to lack of adequate or appropriate parental support or supervision, in order to reduce the likelihood that the children will become wards of a juvenile court or the department.
- (2) Preventing, remedying, or assisting in the solution of problems that may result in the neglect, abuse, exploitation, or delinquency of children.
- (3) Preventing unnecessary separation of children from their families by identifying family problems, assisting in the resolution of family problems, and preventing the breakup of families whenever prevention of child removal is possible and desirable.
- (4) Providing services targeted to the assistance of children who are developmentally or physically disabled and their families, for the purposes of prevention of potential abuse, neglect, or abandonment of those children, and enabling the children to receive adequate family support and preparation to become self-supporting to the extent feasible.
- (5) Providing family preservation services or family support services (both as defined in 42 U.S.C. 629a) for families and children who are not currently receiving individually designed services provided or funded by the department through an open juvenile court child in need of services or delinquency case.

*As added by P.L.146-2008, SEC.570.*

#### **IC 31-26-3.5-3**

##### **Application to establish, continue, or modify program**

Sec. 3. (a) An application to establish a new child welfare program, or to continue or modify an existing child welfare program, may be submitted by a court, county executive, private nonprofit

agency or organization, or an interested person based on guidelines and instructions issued by the department. Except as provided in subsection (b), the application shall be transmitted to the regional services council or councils for the county, region, or geographic area of Indiana that the applicant proposes to serve. Each regional services council must review and submit its recommendations to the director in conformity with procedures established by the department.

(b) An application to establish, continue, or modify a program that will operate on a statewide basis shall be submitted directly to the director of the department for review and evaluation.

*As added by P.L.146-2008, SEC.570.*

#### **IC 31-26-3.5-4**

##### **Approval of program**

Sec. 4. A child welfare program must be approved by the director of the department or the director's designee. The director's approval shall specify the period for which operation of the program is approved and the procedure for submission of any request for continuation, extension, or modification of the approved program. The department may not pay for the costs of any programs that have not been approved by the director.

*As added by P.L.146-2008, SEC.570.*

#### **IC 31-26-3.5-5**

##### **Policies and procedures for review and evaluation of programs**

Sec. 5. The department shall establish policies and procedures for periodic review and evaluation of approved child welfare programs, including evaluation of the effectiveness and results of the program activities, as part of the consideration of any application to continue or modify the program.

*As added by P.L.146-2008, SEC.570.*

#### **IC 31-26-3.5-6**

##### **Child welfare program account established; sources of funds in account**

Sec. 6. (a) A child welfare program account is established in the state general fund to receive money for establishment, operation, or support of child welfare programs. Receipts credited to the child welfare program account may be derived from the following sources:

- (1) Any appropriation made by the general assembly that is specifically designated for child welfare programs.
- (2) Any part of the appropriation to the department that is set aside and allocated by the department for child welfare programs, at the discretion of the director.
- (3) Any part of federal grant funds received by the department through Title IV-B Parts 1 and 2 of the Social Security Act (42 U.S.C. 620 et seq.) that is allocated by the department for child welfare programs under this chapter at the discretion of the director, subject to the terms and conditions of the grant.

(4) Any gifts received by the department from individuals or nongovernmental organizations, for purposes of child welfare programs. The department may receive and administer any gifts earmarked for specifically designated child welfare programs, in accordance with the terms of the gift.

(b) Any appropriation made by the general assembly for the child welfare program account remains in the child welfare program account until expended and does not revert to the state general fund at the expiration of the state fiscal year for which the appropriation was made.

*As added by P.L.146-2008, SEC.570.*

#### **IC 31-26-3.5-7**

##### **Rules**

Sec. 7. The department may adopt rules under IC 4-22-2 that are necessary or appropriate to implement this chapter.

*As added by P.L.146-2008, SEC.570.*