

CITY-COUNTY GENERAL ORDINANCE NO. 70, 2005  
Proposal No. 756, 2004

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code, Chapter 283, by the addition of a new Article V, establishing a Marion County Early Intervention Planning Council.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Revised Code of the Consolidated City and County is hereby amended by the addition of Chapter 283, Article V, Divisions 1 and 2, establishing a Marion County Early Intervention Planning Council, to read as follows:

**ARTICLE V. MARION COUNTY EARLY INTERVENTION  
PLANNING COUNCIL\***

**DIVISION 1. GENERALLY**

**Sec. 283-501. Definitions.**

As used in this article, the following terms shall have the meanings ascribed to them:

- (a) *EIPC* means the Marion County Early Intervention Planning Council.
- (b) *Director* means the Director of the Marion County Office of Family and Children, unless the City – County Council elects to designate an existing organization as the county’s team for purposes of this article. If the council designates an existing organization pursuant to this subsection and Sec. 284-503, the Director shall be the chairperson of the designated organization.
- (c) *Executive team* means the members as determined by this Article.
- (d) *Participant agencies* include the Marion County Sheriff’s Department, Indianapolis Police Department, Marion County Prosecutor, Public Defender, Community Corrections, Beech Grove Schools, Decatur Township School Corporation, Indianapolis Public Schools, Franklin Township School Corporation, Lawrence Township School Corporation, Perry Township School Corporation, Pike Township School Corporation, Speedway School Corporation, Washington Township School Corporation, Warren Township School Corporation, Wayne Township School Corporation, Wishard Memorial Hospital, Marion County Office of Family and Children, Mayor of Indianapolis, Courts, and others as may from time to time be designated by the City-County Council.
- (e) *Courts* includes the Circuit and Superior Courts of Marion County.

**DIVISION 2. COUNCIL**

**Sec. 283-502. Established; appointment and qualifications of members and of the chairperson.**

- (a) There is hereby established the Marion County Early Intervention Planning Council, hereinafter designated as the EIPC.
- (b) The purpose of the EIPC shall be to develop a plan for early intervention that is tailored to provide services targeted to the individual needs of children who:
  - (1) have been either adjudicated as, or alleged in a proceeding initiated under I.C. 31-37, *et seq.*, to be delinquent children;
  - (2) identified by the Marion County Office of Family and Children (“county office”), 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 delinquent children; and
- (3) have been referred to the county office 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.

(c) The membership of the council shall be composed of the following members, each of whom shall serve at the pleasure of the appointing authority:

- (i) Two (2) members appointed by the judge or judges of the juvenile court, one (1) of whom is a representative of the probation department.
- (ii) Two (2) members appointed by the director of the county office as follows:
  - (1) One (1) is a member of the child welfare staff of the county office.
  - (2) One is either: an interested resident of the county; or a representative of a social service agency; who knows of child welfare needs and services available to residents of the county.
- (iii) One (1) member appointed by the superintendent of the largest school corporation in the county.
- (iv) Five (5) members appointed by the city-county council as follows:
  - (1) One (1) of whom is a representative of the remaining school corporations in the county.
  - (2) One (1) of whom is a representative of the community mental health centers that serve Marion County.
  - (3) One (1) appointed by the city-county council having experience or training in public accounting or public finance.
  - (4) One (1) member of the city-county council appointed by the minority leader.
  - (5) The majority leader or his designee who must also be a member of the city-county council.
- (v) The Director as determined by the provisions of Sec. 283-501(b).
- (vi) The Director may appoint one (1) additional member from among interested or knowledgeable residents of the community or of agencies providing services to or for children in the county.

(d) A majority of the members shall constitute a quorum.

(e) The Director may be counted for purposes of determining whether a quorum is present but may not vote on any proposal or issue before the members for a vote unless the vote by the Director would break an otherwise tie vote.

**Sec. 283-503. Designation of existing organization as the team.**

The council may elect to designate for purposes of this section an existing organization or group for purposes of this article. The group to be considered for such designation must include representatives of all appointing authorities described in Sec. 283-502.

**Sec. 283-504. Mission generally.**

It shall be the mission of the EIPC to develop a plan that:

- (1) promotes the welfare of children and self sufficiency of families with children at risk of abuse or neglect, dependency, or delinquency, as defined or described in this article.
- (2) promotes the prevention or reduction in the number of cases of child abuse, delinquency, or neglect that may require juvenile court intervention.
- (3) promotes the coordination of available resources to promote efficiency and avoid duplication of programs and services,
- (4) reduces or minimizes the cost of providing services to children and families with children who are or may become delinquent children.
- (5) reduces or eliminates to the extent possible the need to remove children from their parents, guardians, or custodians for foster home care or institutional placement.

**Sec. 283-505. Organization meeting.**

The Director or chairperson shall convene an organizational meeting of the members of the council appointed under subsection 502(b) of this article. The Director or chairperson shall serve as the chairperson of the team. The team shall select one (1) of its members as vice chairperson.

**Sec. 283-506. Initial plan.**

Before January 31, 2006 and before July 1 of each year thereafter, the council shall prepare and submit to the judge(s) having juvenile jurisdiction the council's plan for review and comment. The judge(s) shall submit any comments to the chairperson not more than fifteen (15) calendar days after receiving the plan. The council shall before July 25, 2006, and January 25 of each year thereafter, transmit a copy of the initial plan, including any comments from the judge(s), to:

- (1) the Director; and
- (2) the state superintendent of public instruction.

**Sec. 283-507. Programs to be considered in preparing plan.**

The EIPC shall review and consider existing publicly and privately funded programs that are available or that could be made available in Marion County to provide supportive services to or for the benefit of children described in subsection 502(b) of this article 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) Community corrections programs under I.C. 12-1.
- (6) Special education programs under I.C. 20-1-6-19.
- (7) 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 division of family and children, county offices, prosecutors, or juvenile courts, including programs funded under I.C. 12-19-7 and I.C. 31-40.
- (8) Probation user's fees under I.C. 31-40-2-1.
- (9) The child advocacy fund under I.C. 12-17-17.

**Sec. 283-508. Adoption of existing plan as initial plan.**

The council may adopt as its plan an existing plan for provision of family preservation services, as defined in I.C. 12-7-2-82.3, that:

- (1) is in effect in Marion County;
- (2) includes services for a child less than eighteen (18) years of age who reasonably may be expected to face out of home placement under I.C. 31-34 or I.C. 31-37 as a result of:
  - (A) dependency, abuse or neglect;
  - (B) emotional disturbance; or
  - (C) delinquency adjudication; and
- (3) addresses all of the objectives described in this article.

**Sec. 283-509. Comments and recommendations of director or superintendent of public instruction.**

The director or the state superintendent of public instruction may, not later than thirty (30) days after receiving the plan, transmit to the council and the city-county council any comments, including recommendations for modification of the plan, that the director or the state superintendent of public instruction considers appropriate.

**Sec. 283-510. Funding.**

(a) Upon receiving the initial plan and each revised or updated plan, the city-county council shall consider the plan in developing the family and children's fund budget.

(b) The city-county council may appropriate from the family and children's fund any amounts necessary to provide funding to implement the plan.

**Sec. 283-511. Meeting of EIPC.**

(a) The Marion County Early Intervention Planning Council (EIPC) shall meet at least one (1) time each year to do the following:

- (1) Develop, review, or revise a strategy 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 council considers necessary or appropriate to improve the quality and efficiency of early intervention child welfare services provided in accordance with the plan.

(4) prepare and submit to the city-county council a report on the operations of the plan during the preceding year and a revised and updated plan for the ensuing year.

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

**Sec. 283-512. Officers and agencies to receive copies of plans and reports.**

The EIPC or the city-county council shall transmit copies of the initial plan, each annual report, and each revised plan to the following:

- (1) The Director.
- (2) The state superintendent of public instruction.
- (3) The Marion County Office of Family and Children.
- (4) The juvenile court.
- (5) The superintendent of each public school corporation in the county.
- (6) The local step ahead council.

(7) Any public or private agency that:

- (A) provides services to families and children in the county that requests information about the plan; and
- (B) the council has identified as a provider of services relevant to the plan.

**Sec. 283-513. Publicizing plan to Marion County residents.**

EIPC or the city-county council shall publicize to residents of Marion County the existence and availability of the plan.

**Sec. 283-514. Use of plan by juvenile court and child protection services.**

The:

- (1) juvenile court, in implementing a program of informal adjustment for a child under I.C. 31-34-8; and
- (2) local child protection service, in proposing a voluntary services referral agreement for the benefit of a child under I.C. 31-33-13;

shall consider and use to the extent feasible any available services described in an early intervention plan approved under this article pursuant to I.C. 31-37-24, *et seq.*

SECTION 2: This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14

The foregoing was passed by the City-County Council this 8<sup>th</sup> day of August, 2005, at 9:26 p.m.

ATTEST:

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Steve Talley  
President, City-County Council

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Jean Ann Milharcic  
Clerk, City-County Council

Presented by me to the Mayor this 11<sup>th</sup> day of August, 2005, at 10:00 a.m.

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Jean Ann Milharcic  
Clerk, City-County Council

Approved and signed by me this \_\_\_\_\_ day of August, 2005.

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Bart Peterson, Mayor

