SENATE BILL No. 251

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-20-42; IC 34-30-2-84.8.

Synopsis: After school network program fund. Creates the after school network program fund to fund before and after school programs operated through schools. Provides that the department of education administers the fund and makes grants as directed by the after school network program board (board). Establishes the board, which consists of nine members appointed by the governor who represent nonprofit and school based after school programs. Sets forth duties for the board, and requires an annual report by the board to the governor, the general assembly, and the legislative council.

Effective: July 1, 2016.

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January 7, 2016, read first time and referred to Committee on Education & Career Development.

Introduced

Second Regular Session 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type.~~

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~*this style type*~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

SENATE BILL No. 251

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 20-20-42 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]:

Chapter 42. After School Network Program Fund

Sec. 1. As used in this chapter, "board" refers to the after school network program board established by section 5 of this chapter.

Sec. 2. As used in this chapter, "fund" refers to the after school network program fund established by section 3 of this chapter.

Sec. 3. (a) The after school network program fund is established to fund before and after school programs throughout Indiana.

(b) The fund shall be administered by the department.

(c) The fund consists of:

(1) appropriations;

(2) gifts and bequests;

(3) fees deposited in the fund by law; and

(4) grants received from the federal government or private sources.

(d) The expenses of administering the fund shall be paid from money in the fund.

(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested.

(f) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(g) Money in the fund is continually appropriated to the department to fund the purposes specified in section 4 of this chapter.

Sec. 4. The fund is to be used to fund before and after school programs under IC 20-26-5-2 as directed by the board under section 5 of this chapter.

Sec. 5. (a) The after school network program board is established to direct the administration of the fund. The board is composed of nine (9) members appointed by the governor, each of whom represents a nonprofit or school based after school program, not more than one (1) of whom may reside in the same congressional district.

(b) The term of a member is four (4) years. A member serves until a successor is appointed and qualified. If a vacancy occurs on the board before the end of a member's term, the governor shall appoint an individual to serve the remainder of the vacating member's term.

(c) A majority of the members appointed to the board constitutes a quorum. The affirmative votes of a majority of the members are required for the board to take action on any measure.

(d) Each member of the board is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided 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.

(e) The board shall annually elect a chairperson who shall be the presiding officer of the board. The board may establish other officers and procedures as the board determines necessary.

(f) The board shall meet at least two (2) times each year. The chairperson may call additional meetings.

(g) The department shall provide staff for the board. The department shall maintain a registry of the members of the board. The governor shall provide written confirmation of an

appointment to the board to the department in the form and manner specified by the department.

(h) The board shall do the following:

(1) Consider policy matters relating to before and after school programs under this chapter.

(2) Consider applications and approve grants for projects under this chapter.

(3) Formulate policies and procedures concerning the operation of the board.

(4) Review requests for and direct the expenditure of money from the fund.

(5) Take other action necessary for the purpose stated in subsection (a).

(6) Provide to the governor, the general assembly, and the legislative council an annual report not later than January 30 of each year showing the status of funds appropriated under this chapter. The report to the general assembly and the legislative council must be in an electronic format under IC 5-14-6.

(i) A member of the board is exempt from civil liability arising or thought to arise from an action taken in good faith as a member of the board.

(j) The department shall annually present to the board a financial statement that includes the following information for the current and previous fiscal year:

(1) The amount of money deposited into the fund.

(2) The amount of money expended from the fund.

(3) The amount of money, including any reserves, available for grants from the fund.

(k) The department shall compile statistics concerning programs under IC 20-26-5-2 and shall annually present the statistics to the board.

Sec. 6. The state board shall adopt rules under IC 4-22-2 to implement this chapter.

SECTION 2. IC 34-30-2-84.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 84.8. IC 20-20-42-5 (Concerning action taken by an after school network program board member as a member of the board).**