

**CONFERENCE COMMITTEE REPORT
DIGEST FOR HB 1260**

Citations Affected: IC 9-13; IC 20-5; IC 20-6.1; IC 20-9.1.

Synopsis: Education transportation and employees. Conference committee report for EHB 1260. Provides that the definition of "school" for the purposes of traffic regulations concerning school buses includes preschool. Includes project headstart as a school for purposes of the definition of "school bus" as it applies to the regulation of traffic. Provides that a person who drives a school bus must: (1) have sufficient physical ability to be a school bus driver, as determined by the state school bus committee; and (2) be free from any communicable disease that is transmitted through airborne or droplet means or that requires isolation of the infected person. Requires the state school bus committee to adopt rules to prescribe performance standards and measurements for determining the physical ability necessary for a person to be a school bus driver. Eliminates the requirement that school employees be fingerprinted. This conference committee adds the elimination of the fingerprint requirement for school employees.

Effective: July 1, 1998.

Adopted

Rejected

CONFERENCE COMMITTEE REPORT

MR. SPEAKER:

Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill No. 1260 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

- 1 Page 1, between lines 14 and 15, begin a new paragraph and
2 insert:
3 "SECTION 2. IC 20-5-2-7, AS ADDED BY P.L.155-1997,
4 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 1998]: Sec. 7. (a) A school corporation shall adopt a policy
6 concerning criminal history information for individuals who:
7 (1) apply for:
8 (A) noncertificated employment with the school
9 corporation; or
10 (B) employment with an entity with which the school
11 corporation contracts for services; or
12 (2) seek to enter into a contract to provide services to the school
13 corporation;
14 if the individuals are likely to have direct, ongoing contact with
15 children within the scope of the individuals' employment.
16 (b) A school corporation shall administer a policy adopted under
17 this section uniformly for all individuals to whom the policy applies. A
18 policy adopted under this section may require any of the following:
19 (1) The school corporation may request limited criminal history
20 information concerning each applicant for noncertificated
21 employment from a local or state law enforcement agency before
22 or not later than three (3) months after the applicant's
23 employment by the school corporation.
24 (2) Each individual hired for noncertificated employment may be
25 required at the time the individual is hired to submit a certified
26 copy of the individual's limited criminal history (as defined in
27 IC 5-2-5-1(1)) to the school corporation.

- 1 (3) Each individual hired for noncertificated employment may be
 2 required at the time the individual is hired to:
- 3 (A) submit ~~the individual's fingerprints~~ **a request** to the
 4 Indiana central repository for **limited** criminal history
 5 information under IC 5-2-5;
 - 6 (B) obtain a copy of the individual's limited criminal
 7 history; and
 - 8 (C) submit to the school corporation the individual's limited
 9 criminal history and a document verifying a disposition (as
 10 defined in IC 5-2-5-1(6)) that does not appear on the limited
 11 criminal history.
- 12 (4) Each applicant for noncertificated employment may be
 13 required at the time the individual applies to answer questions
 14 concerning the individual's limited criminal history. The failure
 15 to answer honestly questions asked under this subdivision is
 16 grounds for termination of the noncertificated employee's
 17 employment.
- 18 (c) If an individual is required to obtain a limited criminal history
 19 under this section, the individual is responsible for all costs associated
 20 with obtaining the limited criminal history.
- 21 (d) Information obtained under this section must be used in
 22 accordance with IC 5-2-5-6.
- 23 SECTION 3. IC 20-6.1-3-7.1, AS ADDED BY P.L.155-1997,
 24 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 1998]: Sec. 7.1. (a) As used in this section, "applicant" refers
 26 to an applicant for:
- 27 (1) a new license;
 - 28 (2) a renewal license; or
 - 29 (3) a substitute teacher certificate;
- 30 issued by the board.
- 31 (b) As used in this section, "limited criminal history" has the
 32 meaning set forth in IC 5-2-5-1(1).
- 33 (c) As used in this section, "disposition" has the meaning set forth
 34 in IC 5-2-5-1(6).
- 35 (d) An applicant must do the following:
- 36 (1) Submit ~~the applicant's fingerprints~~ **a request** to the Indiana
 37 central repository for **limited** criminal history information under
 38 IC 5-2-5.
 - 39 (2) Obtain a copy of the limited criminal history for the applicant
 40 from the repository's records.
 - 41 (3) Submit to the board the limited criminal history for the
 42 applicant.
 - 43 (4) Submit to the board a document verifying a disposition that
 44 does not appear on the limited criminal history for the applicant.
- 45 (e) The board may deny the issuance of a license or certificate to
 46 an applicant who is convicted of an offense for which the individual's
 47 license may be revoked or suspended under this chapter.
- 48 (f) The board must use the information obtained under this section
 49 in accordance with IC 5-2-5-6.
- 50 (g) An applicant is responsible for all costs associated with
 51 meeting the requirements of this section."

- 1 Renumber all SECTIONS consecutively.
 (Reference is to EHB 1260 as reprinted February 24, 1998.)

Conference Committee Report
on
House Bill 1260

Signed by:

Senator

Representative Leuck

Senator

Representative Ripley

Senate Conferees

House Conferees