

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1160 be amended to read as follows:

- 1 Page 2, after line 6, begin a new paragraph and insert:
- 2 "SECTION 2. IC 20-26-5-10, AS AMENDED BY P.L.121-2009,
- 3 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2013]: Sec. 10. (a) A school corporation, including a charter
- 5 school and an accredited nonpublic school, shall adopt a policy
- 6 concerning criminal history information for individuals who:
- 7 (1) apply for:
- 8 (A) employment with the school corporation; or
- 9 (B) employment with an entity with which the school
- 10 corporation contracts for services;
- 11 (2) seek to enter into a contract to provide services to the school
- 12 corporation; or
- 13 (3) are employed by an entity that seeks to enter into a contract to
- 14 provide services to the school corporation;
- 15 if the individuals are likely to have direct, ongoing contact with
- 16 children within the scope of the individuals' employment.
- 17 (b) A school corporation, including a charter school and an
- 18 accredited nonpublic school, shall administer a policy adopted under
- 19 this section uniformly for all individuals to whom the policy applies. A
- 20 policy adopted under this section must require that the school
- 21 corporation, charter school, or accredited nonpublic school conduct an
- 22 expanded criminal history check concerning each applicant for
- 23 noncertificated employment or certificated employment before or not
- 24 later than three (3) months after the applicant's employment by the

1 school corporation, charter school, or accredited nonpublic school.  
2 Each individual hired for noncertificated employment or certificated  
3 employment may be required to provide a written consent for the  
4 school corporation, charter school, or accredited nonpublic school to  
5 request an expanded criminal history check concerning the individual  
6 before or not later than three (3) months after the individual's  
7 employment by the school corporation. The school corporation, charter  
8 school, or accredited nonpublic school may require the individual to  
9 provide a set of fingerprints, and **the school corporation may agree**  
10 **to pay any fees required for the expanded criminal history check.** Each  
11 applicant for noncertificated employment or certificated employment  
12 may be required at the time the individual applies to answer questions  
13 concerning the individual's expanded criminal history check. The  
14 failure to answer honestly questions asked under this subsection is  
15 grounds for termination of the employee's employment. The applicant  
16 is responsible for all costs associated with obtaining the expanded  
17 criminal history check, **unless the school corporation agrees to pay**  
18 **any associated costs.** An applicant may not be required by a school  
19 corporation, charter school, or accredited nonpublic school to obtain an  
20 expanded criminal history check more than one (1) time during a five  
21 (5) year period.

22 (c) Information obtained under this section must be used in  
23 accordance with law."

(Reference is to HB 1160 as printed January 22, 2013.)

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Representative Smith V