

Adopted	Rejected
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COMMITTEE REPORT

YES:	11
NO:	0

MR. SPEAKER:

*Your Committee on Education, to which was referred Senate Bill 160, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** 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.

1 (b) A school corporation, including a charter school and an
 2 accredited nonpublic school, shall administer a policy adopted under
 3 this section uniformly for all individuals to whom the policy applies. A
 4 policy adopted under this section must require that the school
 5 corporation, charter school, or accredited nonpublic school **either:**

6 **(1) conduct an expanded criminal history check; or**

7 **(2) enter into a contract with a consumer reporting agency**
 8 **regulated under 15 U.S.C. 1681 et seq. to conduct a**
 9 **background check;**

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

34 **(c) The state police department shall release the results of an**
 35 **expanded criminal history check conducted under this section to**
 36 **the inquiring public school.**

37 ~~(e)~~ **(d)** Information obtained under this section must be used in
 38 accordance with law."

(Reference is to SB 160 as printed January 16, 2013.)

and when so amended that said bill do pass.

Representative Behning