

First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 342

AN ACT to amend the Indiana Code concerning education.

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

SECTION 1. IC 10-13-3-39, AS AMENDED BY P.L.168-2022, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 39. (a) The department is designated as the authorized agency to receive requests for, process, and disseminate the results of national criminal history background checks that comply with this section and 42 U.S.C. 5119a.

(b) A qualified entity may contact the department to request a national criminal history background check on any of the following persons:

- (1) A person who seeks to be or is employed with the qualified entity. A request under this subdivision must be made not later than three (3) months after the person is initially employed by the qualified entity.
- (2) A person who seeks to volunteer or is a volunteer with the qualified entity. A request under this subdivision must be made not later than three (3) months after the person initially volunteers with the qualified entity.
- (3) A person for whom a national criminal history background check is required under any law relating to the licensing of a home, center, or other facility for purposes of day care or residential care of children.
- (4) A person for whom a national criminal history background

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check is permitted for purposes of:

- (A) placement of a child in a foster family home, a prospective adoptive home, or the home of a relative, legal guardian to whom IC 29-3-8-9 applies, or other caretaker under section 27.5 of this chapter or IC 31-34;
- (B) a report concerning an adoption as required by IC 31-19-8;
- (C) collaborative care host homes and supervised independent living arrangements as provided in IC 31-28-5.8-5.5; or
- (D) reunification of a child with a parent, guardian, or custodian as provided in IC 31-34-21-5.5.

(5) A person for whom a national criminal history background check is required for the licensing of a group home, child caring institution, child placing agency, or foster home under IC 31-27.

(6) A person for whom a national criminal history background check is required for determining the individual's suitability as an employee of a contractor of the state under section 38.5(a)(1) of this chapter.

(c) A qualified entity must submit a request under subsection (b) in the form required by the department and provide a set of the person's fingerprints and any required fees with the request.

(d) If a qualified entity makes a request in conformity with subsection (b), the department shall submit the set of fingerprints provided with the request to the Federal Bureau of Investigation for a national criminal history background check. The department shall respond to the request in conformity with:

- (1) the requirements of 42 U.S.C. 5119a; and
- (2) the regulations prescribed by the Attorney General of the United States under 42 U.S.C. 5119a.

(e) Subsection (f):

(1) applies to a qualified entity that:

- (A) is not a school corporation or a special education cooperative; or
- (B) is a school corporation or a special education cooperative and seeks a national criminal history background check for a volunteer; and

(2) does not apply to a qualified entity that is a:

- (A) home health agency licensed under IC 16-27-1; or
- (B) personal services agency licensed under IC 16-27-4.

(f) After receiving the results of a national criminal history background check from the Federal Bureau of Investigation, the department shall make a determination whether the person who is the subject of a request has been convicted of:

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- (1) an offense described in ~~IC 20-26-5-11~~; **IC 20-26-5-11.2**;
- (2) in the case of a foster family home, a nonwaivable offense as defined in IC 31-9-2-84.8;
- (3) in the case of a prospective adoptive home, a nonwaivable offense under IC 31-9-2-84.8;
- (4) any other felony; or
- (5) any misdemeanor;

and convey the determination to the requesting qualified entity.

(g) This subsection applies to a qualified entity that:

- (1) is a school corporation or a special education cooperative; and
- (2) seeks a national criminal history background check to determine whether to employ or continue the employment of a certificated employee, a noncertificated employee, or an adjunct teacher who holds a permit under IC 20-28-5-27 of a school corporation or an equivalent position with a special education cooperative.

After receiving the results of a national criminal history background check from the Federal Bureau of Investigation, the department may exchange identification records concerning convictions for offenses described in ~~IC 20-26-5-11~~ **IC 20-26-5-11.2** with the school corporation or special education cooperative solely for purposes of making an employment determination. The exchange may be made only for the official use of the officials with authority to make the employment determination. The exchange is subject to the restrictions on dissemination imposed under P.L.92-544, (86 Stat. 1115) (1972).

(h) This subsection applies to a qualified entity (as defined in IC 10-13-3-16) that is a public agency under IC 5-14-1.5-2(a)(1). After receiving the results of a national criminal history background check from the Federal Bureau of Investigation, the department shall provide a copy to the public agency. Except as permitted by federal law, the public agency may not share the information contained in the national criminal history background check with a private agency.

(i) This subsection applies to a qualified entity that is a:

- (1) home health agency licensed under IC 16-27-1; or
- (2) personal services agency licensed under IC 16-27-4.

After receiving the results of a national criminal history background check from the Federal Bureau of Investigation, the department shall make a determination whether the applicant has been convicted of an offense described in IC 16-27-2-5(a) and convey the determination to the requesting qualified entity.

(j) The department:

- (1) may permanently retain an applicant's fingerprints submitted



under this section; and

(2) shall retain the applicant's fingerprints separately from fingerprints collected under section 24 of this chapter.

SECTION 2. IC 20-26-5-10, AS AMENDED BY P.L.125-2022, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 10. (a) This section applies to a:

- (1) school corporation;
- (2) charter school; or
- (3) nonpublic school that employs one (1) or more employees.

(b) A school corporation, a charter school, and a nonpublic school shall adopt a policy concerning criminal history information for individuals who:

- (1) apply for:
 - (A) employment with the school corporation, charter school, or nonpublic school; or
 - (B) employment with an entity with which the school corporation, charter school, or nonpublic school contracts for services;
- (2) seek to enter into a contract to provide services to the school corporation, charter school, or nonpublic school; or
- (3) are employed by an entity that seeks to enter into a contract to provide services to the school corporation, charter school, or nonpublic school;

if the individuals are likely to have direct, ongoing contact with children within the scope of the individuals' employment.

(c) Except as provided in subsections (f) and (g), a school corporation, a charter school, and a nonpublic school shall administer a policy adopted under this section uniformly for all individuals to whom the policy applies.

(d) A policy adopted under this section must require that the school corporation, charter school, or nonpublic school conduct an expanded criminal history check concerning each applicant for employment who is likely to have direct, ongoing contact with children within the scope of the individual's employment before or not later than thirty (30) days after the start date of the applicant's employment by the school corporation, charter school, or nonpublic school. **If a vendor providing an expanded criminal history check offers more than one (1) type of expanded criminal history check, the policy shall require that the school corporation, charter school, or nonpublic school evaluate all available types of criminal history check and determine whether a more comprehensive expanded criminal history check would better protect the students.**



(e) A policy adopted under this section:

- (1) must require that the school corporation, charter school, or nonpublic school conduct an Indiana expanded child protection index check; and
- (2) may require that the school corporation, charter school, or nonpublic school conduct an expanded child protection index check in other states;

concerning each applicant for employment who is likely to have direct, ongoing contact with children within the scope of the individual's employment. An Indiana expanded child protection index check must be completed before or not later than sixty (60) days after the start date of the applicant's employment by the school corporation, charter school, or nonpublic school.

(f) A policy adopted under this section must state that the school corporation, charter school, or nonpublic school requires an expanded criminal history check concerning an employee of the school corporation, charter school, or nonpublic school who is likely to have direct, ongoing contact with children within the scope of the employee's employment. The checks must be conducted every five (5) years. A school corporation, charter school, or nonpublic school may adopt a policy to require an employee to obtain an expanded child protection index check every five (5) years.

(g) In implementing subsection (f), and subject to subsection (j), a school corporation, charter school, or nonpublic school may update the checks required under subsection (f) for employees who are employed by the school corporation, charter school, or nonpublic school as of July 1, 2017, over a period not to exceed five (5) years by annually conducting updated expanded criminal history checks and expanded child protection index checks for at least one-fifth (1/5) of the number of employees who are employed by the school corporation, charter school, or nonpublic school on July 1, 2017.

(h) An applicant or employee may be required to provide a written consent for the school corporation, charter school, or nonpublic school to request an expanded criminal history check and an expanded child protection index check concerning the individual before the individual's employment by the school corporation, charter school, or nonpublic school. The school corporation, charter school, or nonpublic school may require the individual to provide a set of fingerprints and pay any fees required for the expanded criminal history check and expanded child protection index check. Each applicant for employment or employee described in subsection (f) may be required:

- (1) at the time the individual applies or updates an expanded

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criminal history check under subsection (f); or
 (2) while an expanded criminal history check or expanded child protection index check is being conducted;
 to answer questions concerning the individual's expanded criminal history check and expanded child protection index check. The failure to answer honestly questions asked under this subsection is grounds for termination of the employee's employment.

(i) An applicant is responsible for all costs associated with obtaining the expanded criminal history check and expanded child protection index check unless the school corporation, charter school, or nonpublic school agrees to pay the costs. A school corporation, charter school, or nonpublic school may agree to pay the costs associated with obtaining an expanded criminal history background check for an employee. An employee of a school corporation, charter school, or nonpublic school may not be required to pay the costs of an expanded child protection index check.

(j) An applicant or employee may not be required by a school corporation, charter school, or nonpublic school to obtain an expanded criminal history check more than one (1) time during a five (5) year period. However, a school corporation, charter school, or nonpublic school may obtain an expanded criminal history check or an expanded child protection index check at any time if the school corporation, charter school, or nonpublic school has reason to believe that the applicant or employee:

- (1) is the subject of a substantiated report of child abuse or neglect; or
- (2) has been charged with or convicted of a crime listed in section ~~11.2~~ **11.2(b)** of this chapter or IC 20-28-5-8(c).

(k) As used in this subsection, "offense requiring license revocation" means an offense listed in IC 20-28-5-8(c). A policy adopted under this section must prohibit a school corporation, charter school, or nonpublic school from:

- (1) hiring;
- (2) continuing the employment of;
- (3) contracting with; or
- (4) continuing to contract with;

a person who has been convicted of an offense requiring license revocation, unless the conviction has been reversed, vacated, or set aside on appeal.

(l) Information obtained under this section must be used in accordance with law.

SECTION 3. IC 20-26-5-11 IS REPEALED [EFFECTIVE JULY 1,

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2023]. Sec. 11. (a) This section applies to:

- (1) a school corporation;
- (2) a charter school; and
- (3) an entity:
 - (A) with which the school corporation contracts for services; and
 - (B) that has employees who are likely to have direct, ongoing contact with children within the scope of the employees' employment.

(b) Subject to section 10(k) of this chapter and subsection (f), a school corporation, charter school, or entity shall consider whether information obtained under section 10 of this chapter concerning an individual's conviction for one (1) of the following offenses constitutes grounds to not employ, to not contract with, or to terminate the employment of or contract with the individual:

- (1) Murder (IC 35-42-1-1).
- (2) Causing suicide (IC 35-42-1-2).
- (3) Assisting suicide (IC 35-42-1-2.5).
- (4) Voluntary manslaughter (IC 35-42-1-3).
- (5) Reckless homicide (IC 35-42-1-5).
- (6) Battery (IC 35-42-2-1) unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
- (7) Aggravated battery (IC 35-42-2-1.5).
- (8) Kidnapping (IC 35-42-3-2).
- (9) Criminal confinement (IC 35-42-3-3).
- (10) A sex offense under IC 35-42-4 (including criminal deviate conduct (IC 35-42-4-2) (before its repeal)).
- (11) Carjacking (IC 35-42-5-2) (repealed).
- (12) Arson (IC 35-43-1-1); unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
- (13) Incest (IC 35-46-1-3).
- (14) Neglect of a dependent as a Class B felony (for a crime committed before July 1, 2014) or a Level 1 felony or Level 3 felony (for a crime committed after June 30, 2014) (IC 35-46-1-4(b)(2)); unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
- (15) Child selling (IC 35-46-1-4(d)).
- (16) Contributing to the delinquency of a minor (IC 35-46-1-8); unless ten (10) years have elapsed from the date the individual

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was discharged from probation, imprisonment, or parole; whichever is later.

(17) An offense involving a weapon under IC 35-47 or IC 35-47.5; unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole; whichever is later.

(18) An offense relating to controlled substances under IC 35-48-4; unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole; whichever is later.

(19) An offense relating to material or a performance that is harmful to minors or obscene under IC 35-49-3; unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole; whichever is later.

(20) An offense relating to operating a motor vehicle while intoxicated under IC 9-30-5; unless five (5) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole; whichever is later.

(21) Domestic battery (IC 35-42-2-1.3); unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole; whichever is latest.

(22) Public indecency (IC 35-45-4-1) committed:

(A) after June 30, 2003; or

(B) before July 1, 2003; if the person committed the offense by, in a public place:

(i) engaging in sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5);

(ii) appearing in a state of nudity with the intent to arouse the sexual desires of the person or another person; or being at least eighteen (18) years of age; with the intent to be seen by a child less than sixteen (16) years of age; or

(iii) fondling the person's genitals or the genitals of another person.

In the event that an entity described in subsection (a)(3) obtains information that an individual employed by the entity who works at a particular school corporation or charter school has been convicted of an offense described in this subsection; the entity shall immediately notify the school corporation or charter school of the employee's conviction.

(c) An individual employed by a school corporation, charter school, or entity described in subsection (a) shall notify the governing body of the school corporation; if during the course of the individual's



employment; the individual is convicted in Indiana or another jurisdiction of an offense described in subsection (b):

(d) A school corporation, charter school, or entity may use information obtained under section 10 of this chapter concerning an individual being the subject of a substantiated report of child abuse or neglect as grounds to not employ or contract with the individual:

(e) An individual employed by a school corporation, charter school, or entity described in subsection (a) shall notify the governing body of the school corporation, if during the course of the individual's employment, the individual is the subject of a substantiated report of child abuse or neglect:

(f) A school corporation, charter school, or entity is not required to consider whether information concerning an individual's conviction constitutes grounds to:

- (1) not employ;
- (2) not contract with; or
- (3) terminate the employment of or contract with;

an individual under subsection (b) if the individual's conviction is reversed, vacated, or set aside.

(g) Nothing in this section prohibits a school corporation, charter school, or entity from establishing procedures to verify the accuracy of the information obtained under section 10 of this chapter concerning an individual's conviction.

SECTION 4. IC 20-26-5-11.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 11.2. (a) This section applies to:**

- (1) a school corporation;**
- (2) a charter school;**
- (3) a state accredited nonpublic school; and**
- (4) an entity with which the school corporation, charter school, or state accredited nonpublic school contracts for services;**

concerning employees of the school corporation, charter school, state accredited nonpublic school, or entity who are likely to have direct, ongoing contact with children within the scope of the employees' employment.

(b) Subject to section 10(k) of this chapter and subsection (f), a school corporation, charter school, state accredited nonpublic school, or entity may not employ or contract with, and shall terminate the employment of or contract with, an individual convicted of any of the following offenses:

- (1) Murder (IC 35-42-1-1).**



- (2) Causing suicide (IC 35-42-1-2).
- (3) Assisting suicide (IC 35-42-1-2.5).
- (4) Voluntary manslaughter (IC 35-42-1-3).
- (5) Aggravated battery (IC 35-42-2-1.5).
- (6) Kidnapping (IC 35-42-3-2).
- (7) A sex offense (as defined in IC 11-8-8-5.2).
- (8) Carjacking (IC 35-42-5-2) (repealed).
- (9) Arson (IC 35-43-1-1).
- (10) Public indecency (IC 35-45-4-1(a)(3), IC 35-45-4-1(a)(4), and IC 35-45-4-1(b)) committed:
 - (A) after June 30, 2003; or
 - (B) before July 1, 2003, if the person committed the offense by, in a public place, engaging in sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5).
- (11) Neglect of a dependent as a Class B felony (for a crime committed before July 1, 2014) or a Level 1 felony or Level 3 felony (for a crime committed after June 30, 2014) (IC 35-46-1-4(b)(2) and IC 35-46-1-4(b)(3)).
- (12) Child selling (IC 35-46-1-4(d)).
- (13) An offense relating to material or a performance that is harmful to minors or obscene under IC 35-49-3.

If an entity described in subsection (a)(4) obtains information that an individual employed by the entity who works at a particular school corporation, charter school, or state accredited nonpublic school has been convicted of an offense described in this subsection, the entity shall immediately notify the school corporation, charter school, or state accredited nonpublic school of the employee's conviction.

(c) After June 30, 2023, a school corporation, charter school, state accredited nonpublic school, or entity may employ or contract with an individual convicted of any of the following offenses if a majority of the members elected or appointed to the governing body of the school corporation, or the equivalent body for a charter school, approves the employment or contract as a separate, special agenda item, or if the school administrator of a state accredited nonpublic school informs the administrator's appointing authority of the hiring:

- (1) An offense relating to operating a motor vehicle while intoxicated under IC 9-30-5.
- (2) Reckless homicide (IC 35-42-1-5).
- (3) Battery (IC 35-42-2-1).
- (4) Domestic battery (IC 35-42-2-1.3).



(5) Criminal confinement (IC 35-42-3-3).
 (6) Public indecency (IC 35-45-4-1(a)(1) or IC 35-45-4-1(a)(2))
 committed:

(A) after June 30, 2003; or

(B) before July 1, 2003, if the person committed the offense
 by, in a public place, engaging in sexual intercourse or
 other sexual conduct (as defined in IC 35-31.5-2-221.5).

(7) Contributing to the delinquency of a minor (IC 35-46-1-8).

(8) An offense involving a weapon under IC 35-47 or
 IC 35-47.5.

(9) An offense relating to controlled substances under
 IC 35-48-4, other than an offense involving marijuana or
 paraphernalia used to consume marijuana.

(d) An individual employed by a school corporation, charter
 school, state accredited nonpublic school, or entity described in
 subsection (a) shall notify the governing body of the school, if
 during the course of the individual's employment, the individual:

(1) is convicted in Indiana or another jurisdiction of an
 offense described in subsection (b) or subsection (c); or

(2) is the subject of a substantiated report of child abuse or
 neglect.

(e) A school corporation, charter school, state accredited
 nonpublic school, or entity may use information obtained under
 section 10 of this chapter concerning an individual being the
 subject of a substantiated report of child abuse or neglect as
 grounds to not employ or contract with the individual.

(f) A school corporation, charter school, state accredited
 nonpublic school, or entity is not required to consider whether
 information concerning an individual's conviction:

(1) requires the school or entity to:

(A) not employ; or

(B) not contract with; or

(2) constitutes grounds to terminate the employment of or
 contract with;

an individual under subsection (b) if the individual's conviction is
 reversed, vacated, or set aside.

(g) Nothing in this section prohibits a school corporation,
 charter school, state accredited nonpublic school, or entity from
 establishing procedures to verify the accuracy of the information
 obtained under section 10 of this chapter concerning an
 individual's conviction.

(h) A school corporation, charter school, or state accredited



nonpublic school may not hire or contract with an individual:

- (1) who is required to wear an ankle monitor as the result of a criminal conviction;**
- (2) who entered into an agreement to settle an allegation of misconduct relating to the health, safety, or well-being of a student at a school corporation, charter school, or state accredited nonpublic school, if the agreement included a nondisclosure agreement covering the alleged misconduct; or**
- (3) who, in an academic environment, engaged in a course of conduct involving repeated or continuing contact with a child that is intended to prepare or condition the child for sexual activity (as defined in IC 35-42-4-13);**

unless a majority of the members elected or appointed to the governing body of the school corporation, or the equivalent body for a charter school, approves the hire or contract as a separate, special agenda item, or unless the school administrator of a state accredited nonpublic school informs the administrator's appointing authority of the hiring.

(i) For purposes of subsection (h), "misconduct relating to the health, safety, or well-being of a student" includes:

- (1) engaging in a pattern of flirtatious or otherwise inappropriate comments;**
- (2) making any effort to gain unreasonable access to, and time alone with, any student with no discernable educational purpose;**
- (3) engaging in any behavior that can reasonably be construed as involving an inappropriate and overly personal and intimate relationship with, conduct toward, or focus on a student;**
- (4) telling explicit sexual jokes and stories;**
- (5) making sexually related comments;**
- (6) engaging in sexual kidding or teasing;**
- (7) engaging in sexual innuendos or making comments with double entendre;**
- (8) inappropriate physical touching;**
- (9) using spoken, written, or any electronic communication to importune, invite, participate with, or entice a person to expose or touch the person's own or another person's intimate body parts or to observe the student's intimate body parts via any form of computer network or system, any social media platform, telephone network, or data network or by text message or instant messaging;**



- (10) sexual advances or requests for sexual favors;
- (11) physical or romantic relationship including but not limited to sexual intercourse or oral sexual intercourse;
- (12) discussion of one's personal romantic or sexual feelings or activities;
- (13) discussion, outside of a professional teaching or counseling context endorsed or required by an employing school district, of a student's romantic or sexual feelings or activities;
- (14) displaying, sharing, or transmitting pornographic or sexually explicit materials;
- (15) any physical contact that the student previously has indicated is unwelcome, unless such contact is professionally required, such as to teach a sport or other skill, or to protect the safety of the student or others;
- (16) other than for purposes of addressing student dress code violations or concerns, referencing the physical appearance or clothes of a student in a way that could be interpreted as sexual; and
- (17) self-disclosure or physical exposure of a sexual, romantic, or erotic nature.

SECTION 5. IC 20-26-5-11.5, AS ADDED BY P.L.106-2016, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 11.5. (a) As used in this section, "school" includes:

- (1) a charter school, as defined in IC 20-24-1-4;
- (2) a nonpublic school, as defined in IC 20-18-2-12, that employs one (1) or more employees;
- (3) a public school, as defined in IC 20-18-2-15(1); and
- (4) an entity in another state that carries out a function similar to an entity described in subdivisions (1) through (3).

(b) Notwithstanding any confidentiality agreement entered into by a school and an employee of the school, a school that receives a request for an employment reference, from another school, for a current or former employee, shall disclose to the requesting school any incident known by the school in which the employee committed an act resulting in a substantiated report of abuse or neglect under IC 31-6 (before its repeal) or IC 31-33 **if the employee is likely to have direct, ongoing contact with children within the scope of the employee's new employment.**

- (c) A school may not disclose information under this section that:
- (1) identifies a student; or



(2) is confidential student information under the federal Family Education Rights and Privacy Act (20 U.S.C. 1232g et seq.).

(d) A confidentiality agreement entered into or amended after June 30, 2016, by a school and an employee is not enforceable against the school if the employee committed an act resulting in a substantiated report of abuse or neglect under IC 31-6 (before its repeal) or IC 31-33.

(e) Notwithstanding any confidentiality agreement entered into by a school and an employee of the school, a school that receives a request for an employment reference, from another school, for a current or former employee, shall disclose to the requesting school any incident known by the school in which the employee was:

- (1) arrested;**
- (2) charged with a criminal offense;**
- (3) convicted of a criminal offense;**
- (4) under court supervision or the supervision of a community correction program as the result of a conviction for a criminal offense (including being placed on home detention, work release, or intermittent incarceration);**
- (5) the subject of a protection order; or**
- (6) named as a defendant in a civil action if the civil action could affect the safety of students;**

if the employee is likely to have direct, ongoing contact with children within the scope of the employee's new employment. This provision of this subsection concerning a confidentiality agreement applies to a confidentiality agreement entered into or amended after June 30, 2023.



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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