

Disqualifying Crimes

A child care staff member is disqualified to work in child care for the following:

(1) has been convicted of a:

(A) felony:

(i) related to the health or safety of a child;

(ii) that is a sex offense (as defined in IC 11-8-8-5.2);

(iii) that is a dangerous felony including arson and spousal abuse; or

(iv) that is not a felony otherwise described in items (i) through (iii), and less than ten (10) years have elapsed from the date the person was discharged from probation, imprisonment, or parole, whichever discharge date is latest;

(B) misdemeanor related to:

(i) the health or safety of a child; or

(ii) welfare fraud;

(C) misdemeanor for operating a child care center without a license under IC 12-17.2-4-35, or of a substantially similar offense committed in another jurisdiction if the offense is directly or indirectly related to jeopardizing the health or safety of a child; or

(D) misdemeanor for operating a child care home without a license under IC 12-17.2-5-35, or of a substantially similar offense committed in another jurisdiction if the offense is directly or indirectly related to jeopardizing the health or safety of a child;

Definition of a dangerous felon

IC 12-7-2-53.2 "Dangerous felony"

Sec. 53.2. "Dangerous felony", for purposes of [IC 12-17.2](#), means one (1) or more of the following felonies:

(1) Murder ([IC 35-42-1-1](#)).

(2) Attempted murder ([IC 35-41-5-1](#)).

(3) Voluntary manslaughter ([IC 35-42-1-3](#)).

(4) Involuntary manslaughter ([IC 35-42-1-4](#)).

(5) Reckless homicide ([IC 35-42-1-5](#)).

(6) Aggravated battery ([IC 35-42-2-1.5](#)).

(7) Kidnapping ([IC 35-42-3-2](#)).

(8) Rape ([IC 35-42-4-1](#)).

(9) Criminal deviate conduct ([IC 35-42-4-2](#)) (before its repeal).

(10) Child molesting ([IC 35-42-4-3](#)).

(11) Sexual misconduct with a minor as a Class A felony (for a crime committed before July 1, 2014) or a Level 1 felony (for a crime committed after June 30, 2014) under [IC 35-42-4-9\(a\)\(2\)](#) or a Class B felony (for a crime committed before July 1, 2014) or a Level 2 felony (for a crime committed after June 30, 2014) under [IC 35-42-4-9\(b\)\(2\)](#).

(12) Robbery as a Class A or Class B felony (for a crime committed before July 1, 2014) or a Level 2 or Level 3 felony (for a crime committed after June 30, 2014) ([IC 35-42-5-1](#)).

- (13) Burglary as a Class A or Class B felony (for a crime committed before July 1, 2014) or a Level 2 or Level 3 felony (for a crime committed after June 30, 2014) ([IC 35-43-2-1](#)).
- (14) Battery as a felony ([IC 35-42-2-1](#)).
- (15) Domestic battery ([IC 35-42-2-1.3](#)).
- (16) Strangulation ([IC 35-42-2-9](#)).
- (17) Criminal confinement ([IC 35-42-3-3](#)).
- (18) Sexual battery ([IC 35-42-4-8](#)).
- (19) A felony committed in another jurisdiction that is substantially similar to a felony in this section.
- (20) An attempt to commit or a conspiracy to commit an offense listed in subdivisions (1) through (19).

As added by P.L.287-2013, SEC.2. Amended by P.L.168-2014, SEC.27.