



2023

## SAI Annual Conference – Unabridged Version

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# Education Savings Accounts – HF 68

Establishes the Education Savings Account program under Iowa Code section 257.11B, including: program definitions, initial and ongoing student eligibility criteria, funding mechanisms, and waste, fraud, and abuse prevention measures.

# Education Savings Accounts – HF 68

Modifies and increases the base enrollment for the calculation of the teacher salary supplement, professional development supplement, early intervention supplement, and teacher leadership supplement to include the number of resident pupils within the school district that received an education savings account payment in the prior school year. (\$1,200+)

Additional information, including the State Board of Education adopted administrative rules, is available on the DE's website.

# Education Savings Accounts – HF 68

Provides flexibility for the use of Teacher Leadership and Compensation funds for teacher salaries. The Department issued guidance in April 2023 regarding Teacher Leadership and Compensation choices.

Extends the supplementary funding weights for school districts with shared operational functions, which were set to expire June 30, 2024, through June 30, 2035. Maintains the current funding structure and weightings for such shared functions.

# Minimum Age of Licensure – HF 256

The BoEE is no longer required to disqualify an applicant for a teaching licensure if they are under 21 years old.

This bill also states that the BoEE may issue a para-educator certificate to an individual who is at least 18 years old.

# School Administration of Opioid Antagonists – HF 595

Division II – Authorizes the distribution and possession of an opioid antagonist by a school district or other secondary distributors, defined in Iowa Code §135.190.

This helps to ensure districts are perfectly lawful when providing antagonists to students and distributing the antagonists amongst school buildings.



# Student I.D. Cards – HF 602

If a district issues student I.D. cards it SHALL include the following information on the card for 7-12 grade students, and MAY include the information for 5-6 grade students:

- Crisis Hotline Telephone # - (855) 581-8111
- Crisis Hotline Text # - (855) 895-8398
- Website address – [www.yourlifeiowa.org](http://www.yourlifeiowa.org)

Schools may exhaust current batch of cards in stock, and are not required to include information on activity tickets or lunch cards, unless they are also consider I.D. cards for the students.

# Out-of-state or Out-of-country License Applicants – HF 614

The BoEE MAY issue a license to an out-of-state or out-of-country applicant if they provide ANY of the following as evidence:

- 1) A full license from another state or country, excluding a temporary or emergency license.
- 2) Verification from an institution in another state that the applicant has completed all program licensure requirements with the exception of any assessments requirements by that state.
- 3) Transcripts indicating the applicant completed an educator preparation program located in another country.



# Teacher Rights/Student Discipline – HF 604

Ombudsman now assigned to investigate complaints of student violence or threats initiated by individuals with a BoEE license, authorization, certificate, or statement of recognition.

Ombudsman will provide results of investigation to the DE and BoEE.

Ombudsman SHALL maintain secrecy concerning identity of complainants.

# Teacher Rights/Student Discipline (cont.) – HF 604

DE SHALL:

- 1) Develop and distribute to districts a list of all federal or state law REQUIRED professional development programs and other training programs for district employees.
- 2) Develop and distribute to districts model policies that would satisfy the district's responsibilities under section 279.79 relating to discipline of a student for making a threat of violence or causing an incident of violence that results in injury or property damage or assault.

# Teacher Rights/Student Discipline (cont.) – HF 604

## District Classroom Teachers:

- 1) SHALL report any threat of violence or incident of violence that results in injury or property damage or assault by a student enrolled in the school to the principal or lead administrator of the school within 24 hours after the incident
- 2) MAY notify the parent or guardian of the student who made the threat of violence or acted violently, and the parent or guardian of the student to whom the threat was made or against whom the violent act occurred.

# Teacher Rights/Student Discipline (cont.) – HF 604

Building principals or lead administrators SHALL:

- 1) Notify the parent or guardian of the student who made the threat of violence or acted violently, and the parent or guardian of the student to whom the threat was made or against whom the violent act occurred.
- 2) Ensure notification occurs within 24 hours after the classroom teacher reports the threat of violence or incident of violence to the administration.

# Teacher Rights/Student Discipline (cont.) – HF 604

## New Iowa Code §279.77 – Professional Development Notification:

If a district requires an employee to participate in a professional development program, including a program that is included on the list developed by the DE, the district SHALL provide notice to the employee indicating the code section or DE or BoEE rules which require the employee to participate in the professional development program.

# Teacher Rights/Student Discipline (cont.) – HF 604

New Iowa Code §279.78 – Retaliation prohibition.

1) School board SHALL NOT take any disciplinary action against an employee or contractor for disclosing information to any public official or law enforcement agency, including disclosure to the Ombudsman, if the employee or contractor REASONABLY BELIEVES the information evidences a violation of law or rule, mismanagement, a gross abuse of funds, an abuse of authority, or a substantial and specific danger to public health or safety.



# Teacher Rights/Student Discipline (cont.) – HF 604

New Iowa Code §279.78 – Retaliation prohibition (cont.).

2) “Disciplinary action” includes termination of employment or the contractual relationship, suspension from employment, demotion, financial penalties, failing to take action regarding an employee’s or contractor’s promotion or proposed promotion, failing to provide an advantage in employment or the contractual relationship, and written or verbal reprimands.

# Teacher Rights/Student Discipline (cont.) – HF 604

New Iowa Code §279.79 – Discipline of students who make threats of violence or cause incidents of violence.

The school board SHALL adopt, in collaboration with district teachers and administrative staff, policies for different grade levels that describe how a school district may discipline a student for making a threat of violence or causing an incident of violence that results in injury or property damage or assault.

# Teacher Rights/Student Discipline (cont.) – HF 604

New Iowa Code §279.79 – Discipline of students (cont.) –  
All of the following SHALL apply to the policies:

- 1) Incorporation of strategies designed to correct the student's behavior.
- 2) Provision of parent or guardian conferences, counseling sessions, or mental health counseling sessions, when appropriate. District's must receive prior written consent of parents or guardians before requiring student counseling session or mental health counseling session.

# Teacher Rights/Student Discipline (cont.) – HF 604

New Iowa Code §279.79 – Discipline of students (cont.) -

3) Policies must be consistent with the provisions of chapter 256B, the DE's administrative rules for Chapter 256B, and federal disability laws (e.g., IDEA).

4) Provision of escalating levels of discipline each time the student makes a threat of violence or causes an incident of violence that results in injury or property damage or assault.

# Teacher Rights/Student Discipline (cont.) – HF 604

New Iowa Code §279.79 – Discipline of students (cont.) -

5) Policies must allow the district to select the level of discipline that corresponds to the severity of the threat of violence or incident of violence.

6) Policies must allow the district to suspend the student, permanently remove the student from a particular class, expel the student, or place the student in an alternative learning environment, including a therapeutic classroom, when appropriate.

# Teacher Rights/Student Discipline (cont.) – HF 604

New Iowa Code §279.79 – Discipline of students (cont.) -

7) Policies must require an IEP meeting if the student who made the threat of violence or caused the incident of violence that resulted in injury or property damage or assault has an IEP.

8) Policies must be published on the school district's internet site and in applicable student handbooks.



# Teacher Rights/Student Discipline (cont.) – HF 604

## New Iowa Code §279.80 – Student Handbooks -

1) Annually, before the beginning of the school calendar, each district SHALL publish one or more student handbooks and provide to the parent or guardian of each student a printed or electronic copy of a student handbook that includes basic information related to the expectations of students in the grade level or attendance center to which the student handbook applies, including information related to academic, attendance, discipline, health and safety, and daily schedules.

# Teacher Rights/Student Discipline (cont.) – HF 604

New Iowa Code §279.80 – Student Handbooks -

2) Each district SHALL require that the parent or guardian of each student acknowledge receipt of the applicable student handbook, either in writing or electronically.

# Teacher Rights/Student Discipline (cont.) – HF 604

Iowa Code §280.21 – Added new section –

1) A public school district or AEA SHALL provide to all teachers employed by the public school district or area education agency a copy of this section with the initial employment contract and with each notice of renewal of the employment contract.

[Iowa Code §280.21 covers corporal punishment and employee use of physical contact with a student.]

# Licensure and Background Check Updates – HF 672

Updates to BoEE licensure requirements -

Under Iowa Code §272.2(1)(a)(2)

. . . . There shall be no renewal requirement for a practitioner who has been employed as a practitioner for at least ten years and who possesses a master's or doctoral degree, unless the practitioner holds an evaluator approval endorsement, which must be renewed at least once every ten (10) years.

# Licensure and Background Check Updates – HF 672

Updates professional rights and responsibilities as follows -

Under Iowa Code §272.2(1)(a)(5)(e)

. . . Adds word “habitual” to “nonparticipation in professional development.”

# Licensure and Background Check Updates – HF 672

Updates background check language as follows –

Under Iowa Code §272.2(17) –

Adds language to clarify that schools **MUST PERFORM BACKGROUND CHECKS** on practitioners every five years, even if they no longer have to renew their license due to new 10 year & masters/doctoral degree exception. Also, the board may charge such a practitioner who is not subject to renewal requirements a reasonable fee for the review of the sex offender registry information, information in the Iowa court information system, and the central registry for child abuse information, and the dependent adult abuse records.



# Licensure and Background Check Updates – HF 672

Updates background check language as follows –

Under Iowa Code Chapter 279 –

Adds language in multiple locations that background check requirements now apply to accredited nonpublic schools as well.

# Mandatory Reporting and Reference Checks – HF 430

1) Mandatory reporters SHALL now report ALL sex abuse of children, regardless of age.

[Previously, reporters were only mandated to report sex abuse of children 12 years old and younger.]

2) Law now requires that ALL school employees 18 years of age and older are mandatory reporters.

# Mandatory Reporting and Reference Checks – HF 430

3) If the person making the report is a LICENSED SCHOOL EMPLOYEE who reasonably believes the person responsible for the injury is also a licensed school employee, the name of that employee SHALL be in the mandatory abuse report.

# Mandatory Reporting and Reference Checks – HF 430

1) The DE SHALL develop a process for the reporting and investigation of any incident that arises that may reasonably lead to the conclusion that ANY school employee has committed a FELONY or, in the case of an individual with a license, endorsement, certification, authorization, or statement of recognition issued by the BoEE, has engaged in conduct prohibited under Iowa Code §272.15(1)(a)(1)(a)-(d).

The above Code sections cover the mandatory reports to the BoEE (e.g., Soliciting students, falsifying grades, converting public property, and being drunk on school property)

# Mandatory Reporting and Reference Checks – HF 430

The DE's process SHALL prohibit district and nonpublic boards from entering into ANY of the following:

- 1) A written or oral agreement that prohibits the board, a school employee, or a contractor from discussing an incident, past performance or actions, past allegations leading to discipline or adverse employment action, or employee resignation with any government agent, governmental officer, or any potential employer.

# Mandatory Reporting and Reference Checks – HF 430

The DE's process SHALL prohibit district and nonpublic boards from entering into ANY of the following:

2) A written or oral agreement that waives the liability of an individual with a license, endorsement, certification, authorization, or statement of professional recognition issued by the BoEE related to or arising from an incident, past performance of action, or past allegations of wrongdoing.



# Mandatory Reporting and Reference Checks – HF 430

The DE's process SHALL require the school board to provide all documentation and information related to the incident to the BoEE for investigation if the employee who is the subject of the incident and who has a license, endorsement, certification, authorization, or statement of recognition issued by the BoEE resigns or the employee's contract is terminated during the school's investigation of the incident.

# Mandatory Reporting and Reference Checks – HF 430

The DE's process SHALL require that, prior to hiring an applicant for any position, the school board must conduct a review of the applicant's employment history, including contacting the applicant's previous employers listed on the application of employment and by viewing the BoEE's public license information to determine if the applicant has a case pending with a finding of probable cause or any licensure sanction.

# Mandatory Reporting and Reference Checks – HF 430

The DE's process SHALL require the board to maintain reference information forms prescribed by the DE relating to all employees of the school and respond to any request for such information from a potential employer. This paragraph SHALL NOT be construed to require the board to disclose unfounded, closed investigations. The school has be immune from any criminal or civil liability arising from the disclosure of reference information under this paragraph if the school does not knowingly disclose false information.

# Mandatory Reporting and Reference Checks – HF 430

The board SHALL also be immune from any civil liability arising from discussing the incident, past performance or actions, past allegations leading to discipline or adverse employment action, or employee resignation with any governmental agent, governmental officer, or any potential employer.

# Mandatory Reporting and Reference Checks – HF 430

If the BoEE or the DE finds that the school board has intentionally failed to follow the process established by this subsection regarding an incident, or the reporting requirements established pursuant to section 272.15, related to an employee who holds a license, endorsement, certification, authorization, or statement of recognition issued by the BoEE, any administrator who intentionally failed to ensure compliance with the process SHALL be subject to a hearing conducted by the BoEE.

# Mandatory Reporting and Reference Checks – HF 430

If the BoEE or the DE finds that the school board has intentionally concealed, or attempted to conceal from any governmental agent, governmental officer, or potential employer a founded incident, or any conduct required to be reported pursuant to section 272.15, related to an employee who holds a license, endorsement, certification, authorization, or statement of recognition issued by the BoEE, any administrator who intentionally failed to ensure compliance with the process SHALL be subject to a hearing conducted by the BoEE.



# Mandatory Reporting and Reference Checks – HF 430

BoEE SHALL Adopt rules to require:

- 1) The BoEE to finalize the investigation of the written complaint even if the licensed practitioner resigns or surrenders the licensed practitioner's license, certificate, authorization, or statement of professional recognition during the investigation.
- 2) The collection and retention of written complaints that are filed. If the BoEE determines a written complaint is not founded, the complaint and all records related to the complaint shall be kept confidential, not subject to Ch. 22.

# Mandatory Reporting and Reference Checks – HF 430

BoEE SHALL Adopt rules to require:

- 3) The BoEE to notify the public when a licensed practitioner who is the subject of an ongoing investigation initiated under paragraph “a” has a case pending with a finding of probable cause. No requirement for unfounded, closed investigations.
- 4) The BoEE to evaluate complaints that did not result in any discipline or sanction if similar complaints are filed against the same licensed practitioner.

# Mandatory Reporting and Reference Checks – HF 430

BoEE SHALL adopt rules to require:

5) The BoEE to investigate an administrator who is employed by the school that employs a licensed practitioner who is the subject of an investigation initiated under paragraph “a”. The rules SHALL require the BoEE to investigate whether the administrator filed a written complaint pursuant to this subsection and whether the administrator was required to report to the BoEE pursuant to Iowa Code §272.15.

# Mandatory Reporting and Reference Checks – HF 430

- BoEE member composition (Thirteen members):
- Four public members (two parents or guardians of current students, at least one shall be a board member)
- Eight licensed practitioners (Three administrators, one employee of an accredited nonpublic, four teachers)
- The Director of the Department

# Mandatory Reporting and Reference Checks – HF 430

New Iowa Code §280.33 - Incidents related to licensed practitioners – reporting and investigation.

- The school board SHALL follow the process created by the DE pursuant to Iowa Code §256.9(66), related to the reporting and investigation of an incident involving the possible commission of a felony by any school employee.

# Mandatory Reporting and Reference Checks – HF 430

New Iowa Code §280.34 – Requirement to view public license information.

- Prior to hiring an individual who has been issued a license, endorsement, certification, authorization, or statement of recognition by the BoEE, a school district or an accredited nonpublic school, as applicable, SHALL view the BoEEs' public license information to determine if the individual has a case pending with a finding of probable cause or any licensure sanction. This section will not be construed to require the BoEE to disclose unfounded, closed investigations.



# Bathroom Bill – SF 482

- New Iowa Code §280.33 – Single and multiple occupancy restrooms or changing areas – use by persons of same biological sex.
- "Multiple occupancy restroom or changing area" means an area in a school building designed or designated to be used by more than one person at a time, in which students may be in various stages of undress in the presence of other students or persons. [They] include but are not limited to a restroom, locker room, changing room, or shower room.

# Bathroom Bill – SF 482

- New Iowa Code §280.33 (cont.) -
- "Sex" means a person's biological sex as female or male, as listed on a person's official birth certificate issued at or near the time of the person's birth.
- "Single occupancy restroom or changing area" means an area in a school building designed or designated to be used by one person at a time, in which the person may be in various stages of undress.

# Bathroom Bill – SF 482

- New Iowa Code §280.33 (cont.) -
- A school SHALL require a multiple occupancy restroom or changing are to be designated only for an used by persons of the same sex.
- In other facilities used by schools (e.g., hotel or privately owned facility), school personnel SHALL provide separate, private areas designated for use by students based on the students' sex.

# Bathroom Bill – SF 482

- Student Accommodations (cont.) -
- If a minor student with written consent from a guardian or parent or a student of majority age desires privacy when changing or using a restroom, the school official to whom a request is submitted SHALL evaluate such request and SHALL, to the extent reasonable, offer options for alternative facilities. IN NO EVENT MAY ACCOMODATION INCLUDE USE TO MULTIPLE OCCUPANCY FACILITY WHILE IN USE BY STUDENTS OF THE OPPOSITE SEX, OR WHEN SUCH STUDENTS COULD BE PRESENT.

# Bathroom Bill – SF 482

Student Accommodations (cont.) -

Accommodations MAY include:

- 1) Access to a single occupancy facility.
- 2) Access to a unisex single occupancy restroom.
- 3) Controlled use of a faculty single or multiple occupancy facility.

# Bathroom Bill – SF 482

## Facility access EXCEPTIONS -

- 1) Adopting policies necessary to accommodate disabled persons or young children in need of physical assistance, when using single or multiple occupancy facilities.
- 2) Access for custodial or maintenance work when facility is not occupied by members of the opposite sex.
- 3) Rendering medical assistance.
- 4) Permitting access during a natural disaster, emergency, or when necessary to prevent a serious threat to student safety.



# Bathroom Bill – SF 482

COMPLAINTS – Iowa citizens may file a complaint with the Iowa Attorney General if all of the following are all true:

- 1) The citizen provides written notice to the school describing the violation.
- 2) The school does not cure the violation within three business days after receiving written notice of the violations.

# Bathroom Bill – SF 482

- COMPLAINTS – If Iowa AG determines that legal action is warranted:
- The AG may file a court action seeking equitable relief.
- This section SHALL NOT limit other remedies at law or equity available to the aggrieved person against the school.

# Parent's Rights (Library) – SF 496

- Each school district shall establish a kindergarten through grade 12 library program that is consistent with section 280.6 (religious books, such as Bible and Koran are exempted) and with the educational standards established in this section, contains age-appropriate materials and supports the student achievement goals of the total school curriculum.
- . . .

# Parent's Rights (Library) – SF 496

For purposes of section 256.11 (health and library):

(1) “Age-appropriate” means topics, messages, and teaching methods suitable to particular ages or age groups of children and adolescents, based on developing cognitive, emotional, and behavioral capacity typical for the age or age group.

**“Age-appropriate” DOES NOT include any materials with depictions or visual depictions of a sex act as defined in Iowa Code §702.17.**

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# Parent's Rights (Library) – SF 496

For health and human growth and development,  
“Research-based” means the same as defined in Iowa  
Code §279.50. (Library is focused on age appropriate and  
does not have research-based requirement)

“Research-based” definition states that it is free of racial,  
ethnic, sexual orientation, and gender biases.

# Parent's Rights (Library) – SF 496

**Beginning January 1, 2024** - If there is a violation of the age-appropriate material restrictions, the DE SHALL take the following actions:

First infraction – whether the violation is made knowingly or not, the DE will issue a written warning to the board of directors of the school district or the employee, as applicable.

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# Parent's Rights (Library) – SF 496

If there is a violation of the age-appropriate material restrictions, the DE SHALL take the following actions:

Second or subsequent infraction – if the DE finds that the DISTRICT knowingly violated the restrictions, the SUPERINTENDENT of the school district shall be subject to a hearing conducted by the Board of Educational Examiners, which may result in disciplinary action.

...

# Parent's Rights (Library) – SF 496

If there is a violation of the age-appropriate material restrictions, the DE SHALL take the following actions:

Second or subsequent infraction – if the DE finds that an EMPLOYEE (who holds a license, authorization, certificate, or statement of recognition) knowingly violated the restrictions, the EMPLOYEE shall be subject to a hearing conducted by the Board of Educational Examiners, which may result in disciplinary action.

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# Parent's Rights – SF 496

Kindergarten program -

Shall include . . . Subject to section 279.80, age-appropriate and research-based human growth and development.

# Parent's Rights – SF 496

Grades 1 through 6 program -

Shall include . . . Subject to section 279.80, age-appropriate and research-based human growth and development.

Schools are NO LONGER REQUIRED to include acquired immune deficiency syndrome (AIDS) in the health curriculum, but still must discuss characteristics of communicable diseases.

# Parent's Rights – SF 496

Grades 1 through 6 program –

**REMINDER – Starting this school year districts must incorporate standards established under section 256.7(26)(a)(4) in at least one grade level.**

**Schools no longer are REQUIRED to include acquired immune deficiency syndrome (AIDS) in the health curriculum, but still must discuss characteristics of communicable diseases.**

# Parent's Rights – SF 496

Grades 7 through 8 program -

Shall include . . . Subject to section 279.80, age-appropriate and research-based human growth and development.

Schools are NO LONGER REQUIRED to include HPV and the availability of a vaccine to prevent HPV, or acquired immune deficiency syndrome (AIDS) in the health curriculum, but still must discuss age-appropriate and research-based information regarding the characteristics of sexually transmitted diseases.



# Parent's Rights – SF 496

HS program –

The one unit of health instruction is amended as follows:

Schools are NO LONGER REQUIRED to include HPV and the availability of a vaccine to prevent HPV, or acquired immune deficiency syndrome (AIDS) in the health curriculum, but still must discuss age-appropriate and research-based information regarding the characteristics of sexually transmitted diseases.

# Parent's Rights – SF 496

Iowa Code §279.50 is amended as follows:

(1A) Subject to section 279.80, each school board SHALL provide age-appropriate and research-based instruction in human growth and development **including instruction regarding self-esteem, stress management, interpersonal relationships, and domestic abuse in grades one through six.**

# Parent's Rights – SF 496

Iowa Code §279.80:

...

**A school district SHALL NOT provide any program, curriculum, test, survey, questionnaire, promotion, or instruction relating to gender identity or sexual orientation to students in kindergarten through grade six.**

# Parent's Rights – SF 496

Iowa Code §279.76:

**School districts are prohibited from conducting invasive physical exams, health screenings, or a formal examination or survey of a student that is designed to assess the student's mental, emotional, or physical health that are not required by state or federal law, without first obtaining written consent of the student's parent or guardian. This only applies to minor children in the direct care of a parent or guardian, and does not apply to an emancipated minor or a minor not living with a parent or guardian.**

# Parent's Rights – SF 496

Iowa Code §279.76 (cont.):

School districts SHALL give written notice to a student's parent or guardian of an examination or survey of the student required by state or federal law that is designed to assess the student's mental, emotional, or physical health not less than seven days prior to the examination or survey.

The notice shall include a copy of the examination or survey or a link to an internet site where the parent or guardian may access the exam or survey. (vision and hearing excluded)

# Parent's Rights – SF 496

Iowa Code §279.76 (cont.):

**Exceptions** – School districts may still conduct health screenings or invasive physical examinations in emergency situations or from cooperating in a child abuse assessment commenced in accordance with Iowa Code §232.71B



# Parent's Rights – SF 496

Iowa Code §279.77:

**School districts shall publish the following information on the district's Internet site, each school year:**

**1) A detailed explanation of the procedures or policies in effect for the parent or guardian of a student enrolled in the district to request removal of a book, article, outline, handout, video, or other education material that is available to students in the classroom or in a library operated by the school district.**

# Parent's Rights – SF 496

Iowa Code §279.77 (cont.):

**School districts shall publish the following information on the district's Internet site, each school year (cont.):**

**2) A detailed explanation of the procedures or policies in effect to request the review of decisions made by the school board, including the petition process established pursuant to Iowa Code §279.8B.**

# Parent's Rights – SF 496

Iowa Code §279.77 (cont.):

**School districts shall publish the following information on the district's Internet site, each school year (cont.):**

**3) The board shall adopt a policy describing the process for the parent or guardian of a student or a resident of the district to review the instructional materials used in classrooms in the district. The policy SHALL include a process for a student's parent or guardian to request that the student not be provided with certain instruction materials.**

- **“Instructional materials” is defined and DOES NOT include lesson plans.**

# Parent's Rights – SF 496

Iowa Code §279.77 (cont.):

**School districts shall publish the following information on the district's Internet site, each school year (cont.):**

**4) A comprehensive list of all books available to students in libraries operated by the school district. However, for school years prior to July 1, 2025, if the district is not using an electronic catalog, it may request a waiver from this requirement from the DE.**

# Parent's Rights – SF 496

Iowa Code §279.77 (cont.):

The identity of a parent or guardian who requests the removal of a book, article, outline, handout, video, or other educational material that is available to students in the classroom or library operated by the district **SHALL BE CONFIDENTIAL and SHALL NOT BE SUBJECT TO A PUBLIC RECORDS REQUEST.**

# Parent's Rights – SF 496

Iowa Code §279.77 (cont.):

## **Districts ARE NOT REQUIRED TO:**

- 1) Reproduce educational materials that were NOT created by a person employed by the board of directors.
- 2) Distribute any educational materials in a manner that would infringe the intellectual property rights of any person.



# Parent's Rights (Parent Notification) – SF 496

Iowa Code §279.78:

1) School districts SHALL NOT knowingly give false or misleading information to the parent or guardian of a student regarding the student's gender identity or intention to transition to a gender that is different than the sex listed on a student's official birth certificate or certificate issued upon adoption if the certificate was issued at or near the time of the student's birth.

# Parent's Rights (Parent Notification) – SF 496

Iowa Code §279.78 (cont.):

2) If a student enrolled in a school district requests accommodation that is intended to affirm the student's gender identity from a licensed practitioner employed by the district, including a request that the licensed practitioner address the student using a name or pronoun that is different than the name or pronoun assigned to the student in the district's registration forms or records, the practitioner **SHALL** report the request to an administrator employed by the school district, and the administrator SHALL report the student's request to the student's parent or guardian.

# Parent's Rights (Parent Notification) – SF 496

Beginning July 1, 2023, if there is a violation of the parent/guardian notification requirement, the DE SHALL take the following actions:

First infraction – the DE will issue a written warning to the board of directors of the school district or the employee, as applicable.

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# Parent's Rights (Parent Notification) – SF 496

If there is a violation of the parent/guardian notification requirement, the DE SHALL take the following actions:

Second or subsequent infraction – if the DE finds that the DISTRICT knowingly violated the restrictions, the SUPERINTENDENT of the school district shall be subject to a hearing conducted by the Board of Educational Examiners, which may result in disciplinary action.

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# Parent's Rights (Parent Notification) – SF 496

If there is a violation of the parent/guardian notification requirement, the DE SHALL take the following actions:

Second or subsequent infraction – if the DE finds that an EMPLOYEE (who holds a license, authorization, certificate, or statement of recognition) knowingly violated the restrictions, the EMPLOYEE shall be subject to a hearing conducted by the Board of Educational Examiners, which may result in disciplinary action.

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# Parent's Rights (Surveys) – SF 496

Iowa Code §279.79:

1) The board of directors of a school district must receive the prior written consent of a student's parent or guardian before **REQUIRING** a student to take part in any survey, analysis, activity, or evaluation that reveals information concerning any of the following about the student or the student's family, **WHETHER THE INFORMATION IS PERSONALLY IDENTIFIABLE OR NOT** (extensive list that includes such things as:

Political affiliation, mental or psychological problems, sexual behavior or orientation, illegal or antisocial behavior, critical appraisals of others, legal privilege, religious practices, income (except when required by law)



# Parent's Rights (Surveys) – SF 496

Iowa Code §279.79 (cont.):

2) A school employee shall not answer any question pertaining to any particular student enrolled in the school district in any survey related to the social or emotional abilities, competencies, or characteristics of the student, unless the board of directors satisfies ALL OF THE FOLLOWING REQUIREMENTS:

a) The district provides the student's parent or guardian detailed information about the survey as set forth in this code section.

b) The district receives written consent from the parent or guardian for an employee or contractor to answer survey questions.

c) **IEP questions are exempted from requirement.**

# Parent's Rights (Gender & Orientation) – SF 496

Iowa Code §279.80:

1) “Gender identity” means the same as defined in section 216.2.

2) “Sexual orientation” means the same as defined in section 216.2.

3) A school district SHALL NOT provide any program, curriculum, test, survey, questionnaire, promotion, or instruction relating to gender identity or sexual orientation to students in K – 6 grades.

# Parent's Rights (Library review committee) – SF 496

Iowa Code §279.81:

The board of directors of a school district SHALL NOT ALLOW a student to serve on any committee that determines, or provides recommendations related to whether a material in a library operated by the school district should be removed.

# Parent's Rights (Intra-district enrollment) – SF 496

Iowa Code §279.82:

If the district finds that a student has suffered from a  
FOUNDED CASE OF BULLYING or harassment pursuant to  
Iowa Code §280.28, a parent or guardian may transfer their  
student to another building in the district unless:

- 1) There is inadequate classroom space (as established in policy)
  - 2) The student's IEP will not be met.
  - 3) The student is currently under suspension or expulsion.
- [Students are immediately eligible in sports if they transfer.]

# Parent's Rights (Bullying) – SF 496

Iowa Code §279.83:

1) A school employee MAY notify a student's parent or guardian if the employee has witnessed behavior that would be a founded case of bullying or harassment under Iowa Code §280.28, whether witnessed directly or on surveillance video.

# Parent's Rights (Bullying) – SF 496

Iowa Code §279.83 (cont.):

2) Language is added to Iowa bullying code section 280.28 which is set forth in IASB policy and requires:

- a) Identification of job title of individual required to ensure bullying policy is implemented.
- b) Identification of the person responsible for receiving bullying reports.
- c) Requirement to NOTIFY parents or guardians of student enrolled in the district within 24 hours after the school official receives a report that the student may have been the victim of conduct that constitutes bullying.



## Computer Science PD Fund – SF 250

Allows a recipient of a grant under the Computer Science Professional Development Fund to receive funds for a fiscal year through September 30 of the following fiscal year. This applies to all awards made by the DE starting on or after July 1, 2023.

# School Accreditation and Flexibility – SF 391

Division I: eliminates various reporting requirements and strikes references to the comprehensive school improvement plan (CSIP) for all school districts. This does not impact the federal requirement under the *Every Student Succeeds Act* for schools identified for improvement to locally develop and implement a comprehensive support and improvement plan for the school to improve student outcomes.

# School Accreditation and Flexibility – SF 391

Division II: modifies provisions related to school libraries, including qualifications for school librarians by specifying that a master's degree shall not be a condition for licensure. Allows a school district to employ as a school librarian an individual who is a qualified teacher librarian or a person previously employed as a librarian in a public library. Specifies that standards for guidance counselor programs must ensure counselors are positioned to work collaboratively with students, teachers, staff, and administrators to support the curricular goals of the school through responsive services focused on the growth and development needs of students.

# School Accreditation and Flexibility – SF 391

Division III: clarifies use of online instruction to meet the minimum 180 day or 1,080 hour instruction requirement. A school district may count up to five days or 30 hours of instruction primarily delivered online toward the minimum instructional time required under Iowa Code section 279.10.

Division IV: provides greater flexibility under Iowa Code section 279.50A to allow a school district to use a course offered by a community college or taught by a community college-employed instructor to meet any required offer-and-teach unit.

# School Accreditation and Flexibility – SF 391

Division V: permits a school district to authorize a single teacher to provide instruction in two or more sequential units of one subject area in the same classroom at the same time.

# School Accreditation and Flexibility – SF 391

## Division VI (Offer and Teach):

- 1) World Languages – from 4 to 2 units.
- 2) Fine arts – from 3 to 2 units and provides flexibility in what subjects may meet requirement.
- 3) PE – Streamlines the process through which a student may request to be excused from PE due to participation in certain academic programs or extracurricular activities, or athletics.



# School Accreditation and Flexibility – SF 391

## Division VI (Offer and Teach):

4) Personal Finance – allows the half-unit of required instruction to be delivered through coursework used to meet English, science, social studies, mathematics, or career and technical education offer-and-teach requirements. Strikes the half-unit personal finance literacy graduation requirement.

5) Technology literacy - striking its reference from the core content standards established pursuant to Iowa Code section 256.7, subsection 26.

# Government Alignment – SF 514

Aligns the following entities within the Iowa Department of Education:

- Governor's STEM Advisory Council,
- Iowa Board of Educational Examiners,
- Iowa College Student Aid Commission,
- Iowa Educational Services for the Blind and Visually Impaired, and
- Iowa School for the Deaf.

# Youth Employment – SF 542

Modifies provisions related to permitted work activities for youth under the age of 18 (usually restricted due to danger).

Permits the Director of the DE or Iowa Department of Workforce Development to grant an exemption from restricted work activities for youth 16- and 17-years of age if the work activities are part of a work-based learning or school or employer-administered, work-related program that is approved by the Department of Iowa Workforce Development.

Establishes employer liability provisions applicable to students participating in a work-based learning program. (Immune for liability related to transportation and otherwise covered by Workers Comp)