



2023

SAI Annual Conference – Abridged Version

Matt Carver, J.D.
Legal Services Director

515.267.1115

mcarver@sai-iowa.org



Education Savings Accounts – HF 68

- Increases the base enrollment . . . to include the number of resident pupils within the school district that received an ESA payment in the prior school year. (\$1,200+)
- Provides flexibility to use Teacher Leadership and Compensation funds for teacher salaries. (See DE website)
- Extends the supplementary funding weights for school districts with operational sharing through June 30, 2035.

Minimum Age of Licensure – HF 256

- The BoEE **MAY** now approve teaching licenses for applicants under 21 years old.
- Also, the BoEE **MAY** issue a para-educator certificate to and individual who is at least 18 years old.

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.
- 2) Verification from an institution in **another state** that the applicant completed all program licensure requirements, excluding assessments.
- 3) Transcripts indicating the applicant completed **another country's** educator preparation program.

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
- **Schools may exhaust current batch of cards in stock.**
- **Schools are not required to include information on activity tickets or lunch cards.**

Teacher Rights/Student Discipline – HF 604

- Individuals with a BoEE license, authorization, certificate, or statement of recognition may now file **complaints of student violence or threats** to the Ombudsman.
- The Ombudsman SHALL provide results of investigation to the DE and BoEE and maintain secrecy concerning identity of complainants.

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

1) **The DE SHALL** develop and distribute model policies regarding student discipline under Iowa Code §279.79.

2) **Teachers SHALL report** any threat of violence or incident of violence that results in injury or property damage TO a building administrator within 24 hours. Teachers MAY notify the parent or guardian of the students involved.

3) **Administrators SHALL** notify the parents or guardians of students involved within 24 hours of receiving notice from teacher.

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

- New Iowa Code §279.77 – Professional Development Notification:
- If a district **REQUIRES** an employee to participate in professional learning, the district SHALL provide notice to the employee indicating the code section or DE or BoEE rules which **REQUIRE** participation.

[DE will provide a list of state and federal required training.]

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

- New Iowa Code §279.78 – Retaliation prohibition.
- 1) DON'T RETALIATE! PERIOD!
- Employees must just REASONABLY BELIEVE there is evidence of 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 §279.79 – Discipline of students who make threats of violence or cause incidents of violence.
- The District SHALL involve TEACHERS and ADMINISTRATORS student discipline policies for different grade levels!!!
- [Laundry list of policy SHALLS on Unabridged slides and included in IASB's policies.]

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

- New Iowa Code §279.80 – Student Handbooks -
- 1) Annually, prior to the school year, each district **SHALL** publish student handbooks and provide a written or electronic copy to parents/guardians.
- Districts **SHALL** obtain written or electronic acknowledgement of handbook receipt!

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

- Iowa Code §280.21 (covers corporal punishment and employee use of physical contact) – new section -
- Along with the teacher's initial AND renewal contracts, a public school district or AEA **SHALL** provide a copy of this code section.

Licensure and Background Check Updates – HF 672

- Updates to BoEE licensure requirements -
- Under Iowa Code §272.2(1)(a)(2) . . . NO renewal requirement for a practitioner employed *for at least ten years* and who possesses a master's or doctoral degree
- EVALUATOR APPROVAL RENEWAL STILL REQUIRED EVERY TEN YEARS
- **BACKGROUND CHECKS** must still occur every five years, for both public and nonpublic schools.

Mandatory Reporting and Reference Checks – HF 430

- 1) Mandatory reporters **SHALL** report ALL sex abuse of children, regardless of age.
- 2) Law requires that **ALL school employees 18 years of age and older are mandatory reporters.**
- 3) When completing the report, **include the name of a licensed employee** if you believe they caused the injury!

Mandatory Reporting and Reference Checks – HF 430

The DE **SHALL** develop a process for the reporting and investigation of any incident in which a school employee has:

- 1) Allegedly committed a FELONY, or
- 2) Allegedly violated an ethics rule requiring a mandatory report to the BoEE under Iowa Code §272.15(1)(a)(1)(a)-(d).

[e.g., Soliciting students, falsifying grades, converting public property, and being drunk on school property]

- THESE ALL FALL UNDER PARAGRAPH “A”

Mandatory Reporting and Reference Checks – HF 430

- The DE's process **SHALL** prohibit district and nonpublic boards **from entering into an agreement** that:
 - 1) Waives liability for employees falling under BoEE who are disciplined for actions under this section!
 - 2) Prohibits individuals from discussing an incident, past performance, past allegations leading to discipline or adverse employment action, or resignation with any government agent, governmental officer, or any potential employer.
- [Must provide information when someone calls for reference]

Mandatory Reporting and Reference Checks – HF 430

- 1) Schools **SHALL** provide information and documentation regarding employee investigations to the BoEE if the individual is terminated or resigns due to the conduct.
- 2) Schools **SHALL** conduct a thorough review of every applicant's employment history, including contacting employers and viewing public licensure information on BoEE website.
- 3) Schools **SHALL** maintain employee reference forms developed by the DE.

Mandatory Reporting and Reference Checks – HF 430

BoEE rules **SHALL** require:

1) The BoEE to finalize the investigation of PARAGRAPH “a” complaints even if the licensed practitioner resigns or surrenders the licensed practitioner’s license or certificate during the investigation. IF PROBABLE CAUSE FOUND under PARAGRAPH “a”, BoEE will publicize.

2) If the BoEE determines a written complaint is not founded, the complaint and all records related to the complaint shall be kept confidential, and not subject to Ch. 22.

Mandatory Reporting and Reference Checks – HF 430

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

- Prior to hiring an individual, a school district or an accredited nonpublic school, as applicable, SHALL view the BoEE's public license information to determine if the individual has a case pending with a finding of probable cause or any licensure sanction. . . .

Bathroom Bill – SF 482

- New Iowa Code §280.33 -
- Student multiple occupancy rooms may only be used by individuals of the same biological sex.
- Even at hotels or privately owned facilities schools SHALL provide separate, private areas designated for use by students based on the students' sex.
- [Districts must remedy citizen complaints within 3 days]
- . . .

Bathroom Bill – SF 482

Student Accommodations (cont.) -

Accommodations (with parental approval for minors) 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.
 - [No exception for multiple occupancy for students]

Bathroom Bill – SF 482

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.

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

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.

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Parent's Rights (HHG&D) – 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 (HHG&D) – 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 – 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 (HHG&D) – SF 496

Human Growth and Development:

- **Grades 1-6** – AIDS discussion not required, but must still discuss communicable diseases. **Also, required instruction regarding self-esteem, stress management, interpersonal relationships, and domestic abuse**
- **Grades 7-8** – HPV, HPV vaccine, and AIDS discussion not required, but still must discuss STDs.
- **Grades 9-12** – ONE unit of Health Class amended. HPV, HPV vaccine, and AIDS discussion not required, but still must discuss STDs.

Parent's Rights (Surveys) – 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.**

DOES NOT APPLY TO emancipated minors or a minor not living with a parent or guardian.

Parent's Rights (Surveys) – 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 (Surveys) – 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 (Parental Challenges) – 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.

[IDENTITY OF REQUESTOR MUST BE KEPT CONFIDENTIAL!]

Parent's Rights (Parental Challenges) – 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 (Parental Challenges) – 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.):

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 (Book List) – SF 496

Iowa Code §279.77 (cont.):

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

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.

ONLY BOOKS IN THE SCHOOL's LIBRARY!

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**.

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.

[Use common sense on names – this only relates to affirming identity!]

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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**NOTICE SIMILARITY TO DISCIPLINE REGARDING USE
OF INAPPROPRIATE BOOKS!**

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 (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:

- 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.

[Ensure employees understand this only applies to likely founded cases of bullying!]

Parent's Rights (Bullying) – SF 496

Iowa Code §279.83 (cont.):

- Language is added to Iowa bullying code section 280.28 which **REQUIRES**:

- 1) Identification of job title of individual required to ensure bullying policy is implemented.

- 2) Identification of the person responsible for receiving bullying reports.

- 3) 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.

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.

School Accreditation and Flexibility – SF 391

Division III: A school district may count up to five days or 30 hours of ONLINE INSTRUCTION toward the minimum 180 day or 1,080 hour instruction requirement

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.

Division V: teacher may provide instruction in two or more sequential units of one subject area in the same classroom.

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 more flexibility.
- 3) PE – Streamlines excuse process for activities and classes.
- 4) Personal Finance – allows the half-unit to be delivered through offer-and-teach courses. Eliminates finance literacy graduation requirement.
- 5) Technology literacy - striking its reference from the core content standards.

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)