

CHAPTER 280
UNIFORM SCHOOL REQUIREMENTS

Referred to in §274.3

Student health screenings, see §135.17, 135.39D, 135.105D, 139A.8, 299.5, and 299.24
For student search restrictions, see chapter 808A

Table listing sections 280.1 through 280.32 with their respective titles and descriptions.

280.1 Title.

This chapter may be known and shall be cited as the "Uniform School Requirements" chapter.

[C75, 77, 79, 81, §280.1]

280.2 Definitions.

As used in this chapter, unless the context otherwise requires:

- 1. "Nonpublic school" means any school, other than a public school, which is accredited pursuant to section 256.11.

2. “Public school” means any school directly supported in whole or in part by taxation. [C24, 27, 31, 35, 39, §4251; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §280.2] [91 Acts, ch 200, §1](#); [2008 Acts, ch 1191, §158](#); [2018 Acts, ch 1026, §98](#)  
Referred to in [§135.144](#), [190A.2](#), [272.1](#), [717F.1](#), [724.4B](#)

### **280.3 Educational program — attendance center requirements.**

1. The board of directors of each public school district and the authorities in charge of each nonpublic school shall prescribe the minimum educational program and an attendance policy which shall require each child to attend school for at least one hundred forty-eight days, to be met by attendance for at least thirty-seven days each school quarter, for the schools under their jurisdictions.

2. The minimum educational program shall be the curriculum set forth in [section 256.11](#), except as otherwise provided by law. The board of directors of a public school district shall not allow discrimination in any educational program on the basis of race, color, creed, sex, marital status, or place of national origin.

3. The board of directors of each public school district and the authorities in charge of each nonpublic school shall develop and implement a kindergarten through grade twelve computer science plan by July 1, 2022, which incorporates the standards established under [section 256.7, subsection 26](#), paragraph “a”, subparagraph (4), and the minimum educational standards relating to computer science contained in [section 256.11](#).

4. A nonpublic school which is unable to meet the minimum educational program may request an exemption from the state board of education. The authorities in charge of the nonpublic school shall file with the director of the department of education the names and locations of all schools desiring to be exempted and the names, ages, and post office addresses of all pupils of compulsory school age who are enrolled. The director, subject to the approval of the state board, may exempt the nonpublic school from compliance with the minimum educational program for two school years. When the exemption has once been granted, renewal of the exemption for each succeeding school year may be conditioned by the director, with the approval of the board, upon proof of achievement in the basic skills of arithmetic, the communicative arts of reading, writing, grammar, and spelling, and an understanding of United States history, history of Iowa, and the principles of American government, of the pupils of compulsory school age exempted in the preceding year. Proof of achievement shall be determined on the basis of tests or other means of evaluation prescribed by the director of the department of education with the approval of the state board of education. The testing or evaluation, if required, shall be accomplished prior to submission of the request for renewal of the exemption. Renewal requests shall be filed with the director by April 15 of the school year preceding the school year for which the applicants desire exemption. [This section](#) shall not apply to schools eligible for exemption under [section 299.24](#).

5. The board of directors of each public school district and the authorities in charge of each nonpublic school shall establish and maintain attendance centers based upon the needs of the school age pupils enrolled in the school district or nonpublic school. Public school kindergarten programs shall and public and nonpublic school prekindergarten programs may be provided. In addition, the board of directors or governing authority may include in the educational program of any school such additional courses, subjects, or activities which it deems fit the needs of the pupils.

[C75, 77, 79, 81, §280.3]

[85 Acts, ch 212, §21, 22](#); [89 Acts, ch 210, §7](#); [91 Acts, ch 200, §2](#); [2008 Acts, ch 1127, §5](#); [2020 Acts, ch 1117, §11](#); [2021 Acts, ch 80, §151](#)

### **280.3A Accredited nonpublic school child care programs.**

Authorities in charge of an accredited nonpublic school may operate or contract for the operation of a child care program, as described in [section 279.49](#). The provisions of [section 279.49](#) as they relate to child care programs of a school corporation and its board of directors apply to the child care programs of the accredited nonpublic school and the authority in charge.

[94 Acts, ch 1175, §9](#); [99 Acts, ch 192, §33](#); [2015 Acts, ch 88, §4, 5](#)

### 280.4 English learners — weighting.

1. *a.* The medium of instruction in all secular subjects taught in both public and nonpublic schools shall be the English language, except when the use of a world language is deemed appropriate in the teaching of any subject or when the student is an English learner. When the student is an English learner, both public and nonpublic schools shall provide special instruction, which shall include but need not be limited to either instruction in English as a second language or transitional bilingual instruction until the student is fully English proficient or demonstrates a functional ability to speak, read, write, and understand the English language.

*b.* As used in [this section](#):

(1) “*English learner*” means a student whose language background is in a language other than English, and the student’s proficiency in English is such that the probability of the student’s academic success in an English-only classroom is below that of an academically successful peer with an English language background. Each English learner shall be identified as either an intensive student or an intermediate student.

(2) “*Fully English proficient*” means a student who has attained a level of English-language skill in reading, writing, listening, and speaking to be proficient under the state’s English language proficiency standards, as measured by the state-adopted assessment of English language proficiency as required by section 1111 of the federal Elementary and Secondary Education Act of 1965, as amended by the federal Every Student Succeeds Act, Pub. L. No. 114-95.

(3) “*Intensive student*” means an English learner who, even with support, is not proficient under the state’s English language proficiency standards, as measured by the state-adopted assessment of English language proficiency.

(4) “*Intermediate student*” means an English learner who, either with or without support, approaches being proficient under the state’s English language proficiency standards, as measured by the state-adopted assessment of English language proficiency.

2. The department of education shall adopt rules relating to the identification of English learners who require special instruction under [this section](#) and to application procedures for funds available under [this section](#).

3. *a.* In order to provide funds for the excess costs of instruction of English learners specified in paragraph “*b*” above the costs of instruction of pupils in a regular curriculum, each English learner identified as an intensive student shall be assigned an additional weighting of twenty-six hundredths, each English learner identified as an intermediate student shall be assigned an additional weighting of twenty-one hundredths, and the applicable weighting shall be included in the weighted enrollment of the school district of residence for a period not exceeding five years as provided in paragraph “*b*”. However, the school budget review committee may grant supplemental aid or a modified supplemental amount to a school district to continue funding a program for students after the expiration of the five-year period.

*b.* For students first determined to be English learners for a budget year beginning on or after July 1, 2010, the additional weighting provided under paragraph “*a*” shall be included in the weighted enrollment of the school district of residence for a cumulative period of time not exceeding five years beginning with the budget year for which the student was first determined to be an English learner. The five years of eligibility for the additional weighting need not be consecutive and a student’s eligibility for the additional weighting is transferable to another district of residence.

[C24, 27, 31, 35, 39, §4254; C46, 50, 54, 58, 62, 66, 71, 73, §280.5; C75, 77, 79, 81, §280.4; 82 Acts, ch 1260, §48]

87 Acts, ch 224, §52; 89 Acts, ch 135, §80; 91 Acts, ch 193, §2; 93 Acts, ch 127, §3; 2002 Acts, ch 1114, §1; 2006 Acts, ch 1182, §44, 54; 2013 Acts, ch 121, §41, 42; 2013 Acts, ch 140, §90; 2014 Acts, ch 1135, §24; 2018 Acts, ch 1083, §3; 2021 Acts, ch 74, §1 – 4; 2022 Acts, ch 1011, §10

Referred to in §256E.8, 256E.3, 257.31, 282.18

2021 amendments to subsection 1 and subsection 3, paragraph a, apply to school budget years beginning on or after July 1, 2021; 2021 Acts, ch 74, §3

Section amended

**280.5 Display of United States flag and Iowa state flag — pledge of allegiance.**

1. The board of directors of each public school district and the authorities in charge of each nonpublic school shall provide and maintain a suitable flagstaff on each school site under its control, and the United States flag and the Iowa state flag shall be raised on all school days when weather conditions are suitable.

2. The board of directors of each public school district shall administer the pledge of allegiance in grades one through twelve each school day. Each classroom in which the pledge of allegiance is recited pursuant to [this subsection](#) shall display the United States flag during the recitation. A student shall not be compelled against the student's objections or those of the student's parent or guardian to recite the pledge.

[S13, §2804-a, -b; C24, 27, 31, 35, 39, §4253; C46, 50, 54, 58, 62, 66, 71, 73, §280.4; C75, 77, 79, 81, §280.5]

[95 Acts, ch 1, §4](#); [2021 Acts, ch 139, §27](#)

Display of flags on public buildings, [§1B.3](#)

**280.6 Religious books.**

Religious books such as the Bible, the Torah, and the Koran shall not be excluded from any public school or institution in the state, nor shall any child be required to read such religious books contrary to the wishes of the child's parent or guardian.

[R60, §2119; C73, §1764; C97, §2805; C24, 27, 31, 35, 39, §4258; C46, 50, 54, 58, 62, 66, 71, 73, §280.9; C75, 77, 79, 81, §280.6]

**280.7 Dental clinics.**

Boards of directors in all public school districts may establish and maintain dental clinics for children and offer courses of instruction on mouth hygiene. The boards may employ such legally qualified dentists and dental hygienists as may be necessary to accomplish the purpose of [this section](#). The cost of the dental clinic shall be paid from the general fund.

[C24, 27, 31, 35, 39, §4260; C46, 50, 54, 58, 62, 66, 71, 73, §280.11; C75, 77, 79, 81, §280.7]

**280.7A Student eye care.**

1. A parent or guardian who registers a child for kindergarten or a preschool program shall be given a student vision card provided by the Iowa optometric association and as approved by the department of education with a goal of every child receiving an eye examination by age seven, as needed.

2. School districts may encourage a student to receive an eye examination by a licensed ophthalmologist or optometrist prior to the student receiving special education services pursuant to [chapter 256B](#). The eye examination is not a requirement for a student to receive special education services. A parent or guardian shall be responsible for ensuring that a student receives an eye examination pursuant to [this section](#).

3. Area education agencies, pursuant to [section 273.3](#), shall make every effort to provide, in collaboration with local community organizations, vision screening services to children ages two through four.

[2008 Acts, ch 1100, §1, 2](#)

See also [§135.39D](#)

**280.8 Special education.**

The board of directors of each public school district shall make adequate educational provisions for each resident child requiring special education appropriate to the nature and severity of the child's disability pursuant to rules promulgated by the department under the provisions of [chapters 256B](#) and [273](#).

[C71, 73, §280.22; C75, 77, 79, 81, §280.8]

[96 Acts, ch 1129, §75](#)

**280.9 Career education.**

1. The board of directors of each local public school district and the authorities in charge of each nonpublic school shall incorporate into the educational program, in accordance with [section 256.7, subsection 21](#), paragraph "a", the total concept of career education to

enable students to become familiar with the values of a work-oriented society. Curricular and cocurricular teaching-learning experiences from the prekindergarten level through grade twelve shall be provided for all students currently enrolled in order to develop an understanding that employment may be meaningful and satisfying. However, career education does not mean a separate career and technical education program is required. A career and technical education program includes units or partial units in subjects which have as their purpose to equip students with marketable skills.

2. Essential elements in career education shall include but not be limited to:

- a. Awareness of self in relation to others and the needs of society.
- b. Exploration of employment opportunities and experience in personal decision making.
- c. Experiences which will help students to integrate work values and work skills into their lives.

[C75, 77, 79, 81, §280.9]

2001 Acts, ch 159, §12; 2009 Acts, ch 41, §263; 2016 Acts, ch 1108, §63

### **280.9A History and government required — voter registration.**

1. The board of directors of each local public school district and the authorities in charge of each nonpublic school shall require that all students in grades nine through twelve complete, as a condition of graduation, instruction in American history and the governments of Iowa and the United States, including instruction in voting statutes and procedures, voter registration requirements, the use of paper ballots and voting systems in the election process, and the method of acquiring and casting an absentee ballot.

2. The county auditor, upon request and at a site chosen by the county auditor, shall make available to schools within the county voting equipment or sample ballots that are generally used within the county, at times when this equipment or sample ballots are not in use for their recognized purpose.

3. At least twice during each school year, the board of directors of each local public school district operating a high school and the authorities in charge of each accredited nonpublic school operating a high school shall offer the opportunity to register to vote to each student who is at least seventeen years of age, as required by [section 48A.23](#).

88 Acts, ch 1129, §1; 90 Acts, ch 1238, §38; 94 Acts, ch 1169, §57; 2008 Acts, ch 1031, §45; 2009 Acts, ch 57, §78; 2017 Acts, ch 110, §62, 64

Referred to in [§256.11](#), [331.502](#)

### **280.9B Violence prevention curriculum.**

The department of education shall develop a statewide violence prevention program based on law-related education. The department shall contract with a law-related education agency that serves the state and provides a comprehensive plan to develop violence prevention curricula for grades kindergarten through twelve, provide training to teachers and school administrators on violence prevention, and develop school-community partnerships for violence prevention.

94 Acts, ch 1172, §29

### **280.10 Eye-protective devices.**

1. a. Every student and teacher in any public or nonpublic school shall wear industrial quality eye-protective devices at all times while participating, and while in a room or other enclosed area where others are participating, in any phase or activity of a course which may subject the student or teacher to the risk or hazard of eye injury from the materials or processes used in any of the following courses:

(1) Career and technical education programs or laboratories involving experience with any of the following:

- (a) Hot molten metals.
- (b) Milling, sawing, turning, shaping, cutting, grinding, or stamping of any solid materials.
- (c) Heat treatment, tempering, or kiln firing of any metal or other materials.
- (d) Gas or electric arc welding.

- (e) Repair or servicing of any vehicle while in the shop.
  - (f) Caustic or explosive materials.
- (2) Chemical or combined chemical-physical laboratories involving caustic or explosive chemicals or hot liquids or solids when risk is involved.
- b. Visitors to such shops and laboratories shall be furnished with and required to wear the necessary safety devices while such programs are in progress.
2. It shall be the duty of the teacher or other person supervising the students in said courses to see that the above requirements are complied with. Any student failing to comply with such requirements may be temporarily suspended from participation in the course and the registration of a student for the course may be canceled for willful, flagrant, or repeated failure to observe the above requirements.
3. The board of directors of each local public school district and the authorities in charge of each nonpublic school shall provide the safety devices required herein. Such devices may be paid for from the general fund, but the board may require students and teachers to pay for the safety devices and shall make them available to students and teachers at no more than the actual cost to the district or school.
4. “*Industrial quality eye-protective devices*”, as used in [this section](#), means devices meeting American national standard practice for occupational and educational eye and face protection promulgated by the American national standards institute, inc.  
 [C66, 71, 73, §280.20; C75, 77, 79, 81, §280.10]  
[2009 Acts, ch 41, §249; 2013 Acts, ch 30, §67; 2016 Acts, ch 1108, §64](#)  
 Referred to in [§280.31](#)

### 280.11 Ear-protective devices.

1. Every student and teacher in any public or nonpublic school shall wear industrial quality ear-protective devices while the student or teacher is participating in any phase or activity of a course which may subject the student or teacher to the risk or hazard of hearing loss from noise in processes or procedures used in career and technical education programs or laboratories involving experiences with any of the following:
- a. Milling, sawing, turning, shaping, cutting, grinding, or stamping of any solid materials.
  - b. Kiln firing of any metal or other materials.
  - c. Electric arc welding.
  - d. Repair or servicing of any vehicle while in shop.
  - e. Static tests, maintenance, or repair of internal combustion engines.
  - f. Letter press, paper folders, or monotype.
2. It shall be the duty of the teacher or other person supervising the students in said courses to see that the above requirements are complied with. Any student failing to comply with such requirements may be temporarily suspended from participation in the course and the registration of a student for the course may be canceled for willful, flagrant or repeated failure to observe the above requirements.
3. The board of directors of each local public school district and the authorities in charge of each nonpublic school shall provide the safety devices required in [this section](#). Such devices may be paid for from the general fund, but the board may require students and teachers to pay for the safety devices and shall make them available to students and teachers at no more than the actual cost to the district or school.
4. a. “*Industrial quality ear-protective devices*”, as used in [this section](#), means devices meeting the American national standard for measurement of the real-ear attenuation of ear protectors at threshold promulgated by the American national standards institute, inc.
- b. “*Noise*” as used in [this section](#), means a noise level that meets or exceeds damage-risk criteria established by the present standard for occupational noise exposure established by the federal occupational safety and health administration.  
 [C75, 77, 79, 81, §280.11]  
[99 Acts, ch 96, §28; 2013 Acts, ch 90, §69; 2016 Acts, ch 1108, §65](#)  
 Referred to in [§280.31](#)  
 Section not amended; editorial changes applied

### **280.12 School improvement advisory committee.**

The board of directors of each public school district and the authorities in charge of each nonpublic school shall do the following:

1. Appoint a school improvement advisory committee to make recommendations to the board or authorities. The advisory committee shall consist of members representing students, parents, teachers, administrators, and representatives from the local community, which may include representatives of business, industry, labor, community agencies, higher education, or other community constituents. To the extent possible, committee membership shall have balanced representation with regard to race, gender, national origin, and disability.
2. Utilize the recommendations from the school improvement advisory committee to determine the following:
  - a. Major educational needs.
  - b. Student learning goals.
  - c. Long-range and annual improvement goals that include, but are not limited to, the state indicators that address reading, mathematics, and science achievement.
  - d. Desired levels of student performance.
  - e. Progress toward meeting the goals set out in paragraphs “b” through “d”.
  - f. Harassment or bullying prevention goals, programs, training, and other initiatives.
3. Consider recommendations from the school improvement advisory committee to infuse character education into the educational program.

[C75, 77, 79, 81, §280.12]

[85 Acts, ch 212, §8](#); [2001 Acts, ch 159, §13](#); [2003 Acts, ch 27, §2](#); [2007 Acts, ch 9, §1](#)

### **280.13 Requirements for interscholastic athletic contests and competitions.**

A public school shall not participate in or allow students representing a public school to participate in any extracurricular interscholastic athletic contest or competition which is sponsored or administered by an organization as defined in [this section](#), unless the organization is registered with the department of education, files financial statements with the department in the form and at the intervals prescribed by the director of the department of education, and is in compliance with rules which the state board of education adopts for the proper administration, supervision, operation, adoption of eligibility requirements, and scheduling of extracurricular interscholastic athletic contests and competitions and the organizations. For the purposes of [this section](#) “organization” means a corporation, association, or organization which has as one of its primary purposes the sponsoring or administration of extracurricular interscholastic athletic contests or competitions, but does not include an agency of this state, a public or private school or school board, or an athletic conference or other association whose interscholastic contests or competitions do not include more than twenty-four schools.

[C66, 71, 73, §257.25(10); C75, 77, 79, 81, §280.13]

[85 Acts, ch 212, §24](#); [86 Acts, ch 1245, §1468](#); [93 Acts, ch 101, §204](#)

Referred to in [§256.46](#), [2611.1](#), [279.19B](#), [280.13A](#), [298A.8](#)

### **280.13A Sharing interscholastic activities.**

1. If a school district or nonpublic school does not provide an interscholastic activity for its students, the board of directors of that school district or the authorities in charge of the nonpublic school may complete an agreement with another school district or nonpublic school to provide for the eligibility of its students in interscholastic activities provided by that other school district or nonpublic school. A copy of each agreement completed under [this section](#) shall be filed with the appropriate organization as organization is defined in [section 280.13](#) not later than April 30 of the school year preceding the school year in which the agreement takes effect, unless an exception is granted by the organization for good cause. An agreement completed under [this section](#) shall be deemed approved unless denied by the governing organization within ten days after its receipt. A governing organization shall determine whether an agreement would substantially prejudice the interscholastic activities of other schools. An agreement denied by a governing organization under [this section](#) may be appealed to the state board of education under [chapter 290](#).

2. For the purpose of [this section](#), “*substantial prejudice*” includes but is not limited to situations where shared interscholastic activities may result in an unfair domination of an interscholastic activity or substantial disruption of activity classifications and management.

3. It is not necessary that school districts that are parties to an agreement under [this section](#) must be engaged in sharing academic programming and receiving supplementary weighting under [section 257.11](#).

[87 Acts, ch 224, §53](#); [88 Acts, ch 1134, §62](#); [89 Acts, ch 135, §81](#); [2002 Acts, ch 1129, §3](#); [2017 Acts, ch 54, §76](#)

### **280.13B Recording and broadcast fees restricted.**

The Iowa high school athletic association or its successor organization, and the Iowa girls high school athletic union or its successor organization, shall not assess a charge for the retransmission of an audio-visual recording of a high school athletic tournament contest or event if the retransmission does not occur earlier than twenty-four hours after the starting time of the live athletic contest or event.

[96 Acts, ch 1190, §1](#); [2013 Acts, ch 90, §70](#)

### **280.13C Concussion and brain injury policies.**

1. *Legislative findings.* The general assembly finds and declares all of the following:

a. Concussions are one of the most commonly reported injuries in children and adolescents who participate in sports and recreational activities. A concussion is caused by a blow or motion to the head or body that causes the brain to move rapidly inside the skull. The risk of catastrophic injuries or death is significant when a concussion or head injury is not properly evaluated and managed.

b. Concussions are a type of brain injury that can range from mild to severe and can disrupt the way the brain normally works. Concussions can occur in any organized or unorganized sport or recreational activity and can result from a fall or from players colliding with each other, the ground, or with obstacles. Concussions can occur with or without loss of consciousness, but the vast majority of concussions occur without loss of consciousness.

c. Continuing to play with a concussion or symptoms of a brain injury leaves a young athlete especially vulnerable to greater injury and even death. The general assembly recognizes that, despite having generally recognized return-to-play standards for concussions and head injuries, some affected youth athletes are prematurely returned to play or expected to learn at full capability, resulting in prolonged symptoms, actual or potential physical injury, or death to youth athletes in this state.

d. A concussion can impair not only the physical abilities of a student athlete, but can also affect how a student athlete thinks, acts, feels, and learns. A student athlete who has sustained a concussion may need informal or formal adjustments, accommodations, modifications of curriculum, and monitoring by medical or educational staff until the student is fully recovered.

2. *Definitions.* For the purposes of [this section](#):

a. “*Contest*” means an interscholastic athletic game or competition.

b. “*Contest official*” means a referee, umpire, judge, or other official in an athletic contest who is registered with the Iowa high school athletic association or the Iowa girls high school athletic union.

c. “*Emergency medical care provider*” means the same as defined in [section 147A.1](#).

d. “*Extracurricular interscholastic activity*” means any dance or cheerleading activity or extracurricular interscholastic activity, contest, or practice governed by the Iowa high school athletic association or the Iowa girls high school athletic union that is a contact or limited contact activity as identified by the American academy of pediatrics.

e. “*Licensed health care provider*” means a physician, physician assistant, chiropractor, advanced registered nurse practitioner, nurse, physical therapist, occupational therapist, or athletic trainer licensed by a board designated under [section 147.13](#).

3. *Training.*

a. The department of public health, Iowa high school athletic association, and the Iowa girls high school athletic union shall work together to develop training materials and



courses regarding concussions and brain injuries, including training regarding evaluation, prevention, symptoms, risks, and long-term effects of concussions and brain injuries. Each coach or contest official shall complete such training at least every two years.

b. Individuals required to complete training pursuant to [this subsection](#) shall submit proof of such completion to the Iowa high school athletic association or the Iowa girls high school athletic union, as applicable.

4. *Guidelines and information sheet.*

a. The department of public health, Iowa high school athletic association, and the Iowa girls high school athletic union shall work together to distribute the guidelines of the centers for disease control and prevention of the United States department of health and human services and other pertinent information to inform and educate coaches, students, and the parents and guardians of students of the risks, signs, symptoms, and behaviors consistent with a concussion or brain injury, including the danger of continuing to participate in extracurricular interscholastic activities after suffering a concussion or brain injury and their responsibility to report such signs, symptoms, and behaviors if they occur.

b. For school years beginning on or after July 1, 2018, each school district and nonpublic school shall provide to the parent or guardian of each student in grades seven through twelve a concussion and brain injury information sheet, as provided by the department of public health, the Iowa high school athletic association, and the Iowa girls high school athletic union. The student and the student's parent or guardian shall sign and return a copy of the concussion and brain injury information sheet to the student's school prior to the student's participation in any extracurricular interscholastic activity.

5. *Removal from participation.*

a. If a student's coach, contest official, or licensed health care provider or an emergency medical care provider observes signs, symptoms, or behaviors consistent with a concussion or brain injury in an extracurricular interscholastic activity, the student shall be immediately removed from participation.

b. A student who has been removed from participation shall not recommence such participation or participate in any dance or cheerleading activity or activity, contest, or practice governed by the Iowa high school athletic association or the Iowa girls high school athletic union until the student has been evaluated by a licensed health care provider trained in the evaluation and management of concussions and other brain injuries and the student has received written clearance to return to or commence participation from a licensed health care provider.

6. *Return-to-play protocol and return-to-learn plans.*

a. The department of public health, in cooperation with the Iowa high school athletic association and the Iowa girls high school athletic union, shall develop a return-to-play protocol based on peer-reviewed scientific evidence consistent with the guidelines of the centers for disease control and prevention of the United States department of health and human services, for a student's return to participation in any extracurricular interscholastic activity after showing signs, symptoms, or behaviors consistent with a concussion or brain injury. The department of public health shall adopt the return-to-play protocol by rule pursuant to [chapter 17A](#). The board of directors of each school district and the authorities in charge of each accredited nonpublic school with enrolled students who participate in an extracurricular interscholastic activity which is a contest in grades seven through twelve shall adopt such protocol by July 1, 2019.

b. Personnel of a school district or accredited nonpublic school with enrolled students who participate in an extracurricular interscholastic activity which is a contest in grades seven through twelve shall develop a return-to-learn plan based on guidance developed by the brain injury association of America in cooperation with a student removed from participation in an extracurricular interscholastic activity and diagnosed with a concussion or brain injury, the student's parent or guardian, and the student's licensed health care provider to accommodate the student as the student returns to the classroom.

7. *Protective gear.* For school budget years beginning on or after July 1, 2018, the board of directors of each school district and the authorities in charge of each accredited nonpublic school with enrolled students who participate in an extracurricular interscholastic activity

which is a contest in grades seven through twelve shall provide students participating in such contests with any protective gear, including but not limited to helmets and pads required for the activity by law, by the rules for such contests, or by Iowa high school athletic association or Iowa girls high school athletic union guidelines. However, an individual student is responsible for other protective gear that the individual student needs but that is not required for participation in the contest as provided in [this subsection](#).

8. *Liability.*

a. A school district or accredited nonpublic school that adopts and follows the protocol required by [this section](#) and provides an emergency medical care provider or a licensed health care provider at a contest that is a contact or limited contact activity as identified by the American academy of pediatrics shall not be liable for any claim for injuries or damages based upon the actions or inactions of the emergency medical care provider or the licensed health care provider present at the contest at the request of the school district or accredited nonpublic school so long as the emergency medical care provider or the licensed health care provider acts reasonably and in good faith and in the best interest of the student athlete and without undue influence of the school district or accredited nonpublic school or coaching staff employed by the school district or accredited nonpublic school. A school district or accredited nonpublic school shall not be liable for any claim for injuries or damages if an emergency medical care provider or a licensed health care provider who was scheduled in accordance with a prearranged agreement with the school district or accredited nonpublic school to be present and available at a contest is not able to be present and available due to documentable, unforeseen circumstances and the school district or accredited nonpublic school otherwise followed the protocol.

b. An emergency medical care provider or a licensed health care provider providing care without compensation for a school district or accredited nonpublic school under [this section](#) shall not be liable for any claim for injuries or damages arising out of such care so long as the emergency medical care provider or the licensed health care provider acts reasonably and in good faith and in the best interest of the student athlete and without undue influence of the school district or accredited nonpublic school or coaching staff employed by the school district or accredited nonpublic school.

[2011 Acts, ch 32, §1](#); [2012 Acts, ch 1023, §40](#); [2018 Acts, ch 1131, §1, 3](#); [2018 Acts, ch 1172, §25, 26](#); [2021 Acts, ch 54, §1](#)

#### **280.14 School requirements — administration.**

1. The board or governing authority of each school or school district subject to the provisions of [this chapter](#) shall establish and maintain adequate administration, school staffing, personnel assignment policies, teacher qualifications, certification requirements, facilities, equipment, grounds, graduation requirements, instructional requirements, instructional materials, maintenance procedures, and policies on extracurricular activities. In addition, the board or governing authority of each school or school district shall provide such principals as it finds necessary to provide effective supervision and administration for each school and its faculty and student body.

2. An individual who is employed or contracted as a superintendent by a school or school district may also serve as an elementary or secondary principal in the same school or school district.

[C66, 71, 73, §257.25(11, 15); C75, 77, 79, 81, §280.14]

[93 Acts, ch 4, §2](#); [2003 Acts, ch 180, §34](#)

Credit towards graduation for military basic training, see [§256.11\(15\)](#)

#### **280.15 Joint employment and sharing.**

1. Two or more public school districts may jointly employ and share the services of any school personnel, or acquire and share the use of classrooms, laboratories, equipment and facilities. Classes made available to students in the manner provided in [this section](#) shall be considered as complying with the requirements of [section 275.1](#) relating to the maintenance of kindergarten and twelve grades by a school district. If students attend classes in another school district under [this section](#) under an agreement that provides for whole grade sharing,

the boards of directors of districts entering into these agreements shall provide for sharing the costs and expenses as provided in [sections 282.10 through 282.12](#). If a district that has entered into a whole grade sharing agreement determines that a need exists to hire additional employees because of the whole grade sharing agreement, the district shall determine the nature and number of the necessary new positions. The district terminating employees as a result of a whole grade sharing agreement shall notify any other district, which is a party to the agreement, of the names and addresses of those terminated. Individuals who were employed by a district that entered into a whole grade sharing agreement and who were terminated as a result of the agreement shall be notified that the new positions exist and that they may apply for the new positions. The board shall offer the new position to an applicant from among those who were terminated as a result of the agreement if the applicant is licensed for the new position or, in the case of unlicensed personnel, is otherwise qualified. If two or more individuals from among those terminated as a result of the agreement apply for a single position, the applicant who is best qualified in the opinion of the board shall be offered the new position. However, the board is not required to offer a new position to applicants who were among those who were terminated as a result of the agreement beyond two school years. An employee who accrued benefits before a whole grade sharing agreement resulted in the employee's termination shall not, as a result of reemployment under [this section](#), forfeit accrued vacation, accrued sick leave, longevity, completion of probationary status as defined by [section 279.19](#), or salary or placement on a salary schedule based upon the employee's years of experience.

2. a. When a special education personnel pooling agreement, which has been entered into between an area education agency and a public school district pursuant to [section 273.5](#), is terminated, the public school district shall assume the contractual obligations for any teachers assigned to the district under the agreement. Teachers, for whom the contractual obligations are assumed by a district, shall be given credit for completion of any probationary status under [section 279.19](#), be placed on the salary schedule, and retain all leaves, benefits, and seniority rights accumulated as if the teacher had been originally employed under the agreement which exists between the public school district and the district's collective bargaining unit, consistent with the teacher's education and experience.

b. A teacher who is employed under a pooling agreement and assigned to special education facilities that are separate from and not part of local school district facilities shall, if the teacher's employment terminates upon termination of the pooling agreement, be offered any teaching position that is similar to the position previously held by the teacher under the pooling agreement, which is vacant in any of the local school districts which participated in the pooling agreement, provided that the teacher possesses the appropriate license for the position. Teachers employed by a local school district under this paragraph shall have the same rights, privileges, and protection as teachers whose contractual obligations are assumed by a district to which the teacher previously had been assigned under a special education personnel pooling agreement.

[C66, 71, 73, §257.25(16); C75, 77, 79, 81, §280.15]

[85 Acts, ch 212, §9; 87 Acts, ch 224, §54; 90 Acts, ch 1219, §1; 91 Acts, ch 117, §1; 94 Acts, ch 1083, §1; 2010 Acts, ch 1061, §180](#)

Referred to in [§257.11, 257.31, 275.1, 275.2, 282.10](#)

See also [§256.12](#)

**280.16 Self-administration of respiratory distress, asthma, or other airway constricting disease medication, epinephrine auto-injectors, bronchodilator canisters, or bronchodilator canisters and spacers.**

1. *Definitions.* For purposes of [this section](#):

a. "*Bronchodilator*" means a bronchodilator as recommended by the department of public health for treatment of a student's respiratory distress, asthma, or other airway constricting disease.

b. "*Bronchodilator canister*" means a portable drug delivery device packaged with multiple premeasured doses of a bronchodilator.

c. "*Epinephrine auto-injector*" means a device for immediate self-administration or

administration by another trained individual of a measured dose of epinephrine to a person at risk of anaphylaxis.

d. “*Licensed health care professional*” means a person licensed under [chapter 148](#) to practice medicine and surgery or osteopathic medicine and surgery, an advanced registered nurse practitioner licensed under [chapter 152](#) or [152E](#) and registered with the board of nursing, or a physician assistant licensed to practice under the supervision of a physician as authorized in [chapters 147](#) and [148C](#).

e. “*Medication*” means a drug that meets the definition provided in [section 126.2, subsection 8](#), has an individual prescription label, is prescribed by a licensed health care professional for a student, and pertains to the student’s respiratory distress, asthma, or other airway constricting disease, or risk of anaphylaxis, and includes but is not limited to a bronchodilator.

f. “*Self-administration*” means a student’s discretionary use of medication prescribed by a licensed health care professional for the student.

g. “*Spacer*” means a holding chamber that is used to optimize the delivery of a bronchodilator to a person’s lungs.

2. The board of directors of a school district and the authorities in charge of an accredited nonpublic school shall permit the self-administration of medication or the use of a bronchodilator canister or bronchodilator canister and spacer by a student with respiratory distress, asthma, or other airway constricting disease or the use of an epinephrine auto-injector by a student with a risk of anaphylaxis if the following conditions are met:

a. The student’s parent or guardian provides to the school written authorization for the self-administration of medication, for the use of a bronchodilator canister or a bronchodilator canister and spacer, or for the use of an epinephrine auto-injector.

b. The student’s parent or guardian provides to the school a written statement from the student’s licensed health care professional containing the following information:

(1) The name and purpose of the medication, bronchodilator canister, bronchodilator canister and spacer, or epinephrine auto-injector.

(2) The prescribed dosage.

(3) The times at which or the special circumstances under which the medication, bronchodilator canister, bronchodilator canister and spacer, or epinephrine auto-injector is to be administered.

c. The parent or guardian and the school meet the requirements of [subsection 3](#).

3. The school district or accredited nonpublic school shall notify the parent or guardian of the student, in writing, that the school district or accredited nonpublic school and its employees are to incur no liability, except for gross negligence, as a result of any injury arising from self-administration of medication, use of a bronchodilator canister or a bronchodilator canister and spacer, or use of an epinephrine auto-injector by the student. The parent or guardian of the student shall sign a statement acknowledging that the school district or nonpublic school is to incur no liability, except for gross negligence, as a result of self-administration of medication, use of a bronchodilator canister or a bronchodilator canister and spacer, or use of an epinephrine auto-injector by the student. A school district or accredited nonpublic school and its employees acting reasonably and in good faith shall incur no liability for any improper use of medication, a bronchodilator canister, a bronchodilator canister and spacer, or an epinephrine auto-injector as defined in [this section](#) or for supervising, monitoring, or interfering with a student’s self-administration of medication, use of a bronchodilator canister or a bronchodilator canister and spacer, or use of an epinephrine auto-injector as defined in [this section](#).

4. The permission for self-administration of medication, for the use of a bronchodilator canister or a bronchodilator canister and spacer, or for the use of an epinephrine auto-injector is effective for the school year for which it is granted and shall be renewed each subsequent school year upon fulfillment of the requirements of [this section](#). However, the parent or guardian shall immediately notify the school of any changes in the conditions listed under [subsection 2](#).

5. Provided that the requirements of [this section](#) are fulfilled, a student with respiratory distress, asthma, or other airway constricting disease may possess and use the student’s

medication and a student with a written statement from a licensed health care professional on file pursuant to [subsection 2](#), paragraph “a”, may use a bronchodilator canister, a bronchodilator canister and spacer, or an epinephrine auto-injector while in school, at school-sponsored activities, under the supervision of school personnel, and before or after normal school activities, such as while in before-school or after-school care on school-operated property. If the student misuses this privilege, the privilege may be withdrawn. A school district or nonpublic school shall notify a student’s parent or guardian before withdrawing the privilege to use a bronchodilator canister, a bronchodilator canister and spacer, or an epinephrine auto-injector.

6. Information provided to the school under [subsection 2](#) shall be kept on file in the office of the school nurse or, in the absence of a school nurse, the school’s administrator.

7. The Iowa braille and sight saving school, the Iowa school for the deaf, and the institutions under the control of the department of human services as provided in [section 218.1](#) are exempt from the provisions of [this section](#).

[2004 Acts, ch 1059, §1](#); [2008 Acts, ch 1088, §117](#); [2015 Acts, ch 29, §114](#); [2015 Acts, ch 68, §2](#); [2020 Acts, ch 1102, §20](#); [2022 Acts, ch 1126, §1](#)

Referred to in [§135.185](#), [135.190](#), [147A.1](#), [280.16A](#)  
Section amended

### **280.16A Epinephrine auto-injector, bronchodilator canister, or bronchodilator canister and spacer supply.**

1. For purposes of [this section](#), unless the context otherwise requires:

- a. “Bronchodilator” means the same as defined in [section 280.16](#).
- b. “Bronchodilator canister” means the same as defined in [section 280.16](#).
- c. “Epinephrine auto-injector” means the same as provided in [section 280.16](#).
- d. “Licensed health care professional” means the same as provided in [section 280.16](#).
- e. “Personnel authorized to administer epinephrine or a bronchodilator” means a school nurse or other employee of a school district or accredited nonpublic school trained and authorized to administer an epinephrine auto-injector, a bronchodilator canister, or a bronchodilator canister and spacer.

f. “School nurse” means a registered nurse holding current licensure recognized by the board of nursing who practices in the school setting to promote and protect the health of the school population by using knowledge from the nursing, social, and public health sciences.

g. “Spacer” means the same as defined in [section 280.16](#).

2. Notwithstanding any other provision of law to the contrary, a licensed health care professional may prescribe epinephrine auto-injectors, bronchodilator canisters, and bronchodilator canisters and spacers in the name of a school district or accredited nonpublic school to be maintained for use as provided in [this section](#).

3. The board of directors in charge of each school district and the authorities in charge of each accredited nonpublic school may obtain a prescription for epinephrine auto-injectors, bronchodilator canisters, and bronchodilator canisters and spacers and maintain a supply of such epinephrine auto-injectors, bronchodilator canisters, and bronchodilator canisters and spacers in a secure location at each school for use as provided in [this section](#). The board and the authorities shall replace epinephrine auto-injectors, bronchodilator canisters, and bronchodilator canisters and spacers in the supply upon use or expiration. Personnel authorized to administer epinephrine or a bronchodilator may possess and administer epinephrine auto-injectors, bronchodilator canisters, or bronchodilator canisters and spacers, as applicable, from the supply as provided in [this section](#).

4. Personnel authorized to administer epinephrine or a bronchodilator may provide or administer an epinephrine auto-injector, a bronchodilator canister, or a bronchodilator canister and spacer, as applicable, from the school’s supply to a student or other individual if such personnel reasonably and in good faith believe the student or other individual is having an anaphylactic reaction or requires treatment for respiratory distress, asthma, or other airway constricting disease.

5. The following persons, provided they have acted reasonably and in good faith, shall not be liable for any injury arising from the provision, administration, or assistance in the

administration of an epinephrine auto-injector, a bronchodilator canister, or a bronchodilator canister and spacer as provided in [this section](#):

a. Any personnel authorized to administer epinephrine or a bronchodilator who, as applicable, provide, administer, or assist in the administration of an epinephrine auto-injector to a student or other individual present at the school who such personnel believe to be having an anaphylactic reaction or in the administration of a bronchodilator canister or a bronchodilator canister and spacer to a student or other individual present at the school who such personnel believe to require treatment for respiratory distress, asthma, or other airway constricting disease.

b. A school district or accredited nonpublic school employing the personnel.

c. The board of directors in charge of the school district or authorities in charge of the accredited nonpublic school.

d. The prescriber of the epinephrine auto-injector, the bronchodilator canister, or the bronchodilator canister and spacer.

6. The department of education, the board of medicine, the board of nursing, and the board of pharmacy shall, in consultation with an organization representing school nurses, adopt rules pursuant to [chapter 17A](#) to implement and administer [this section](#), including but not limited to standards and procedures for the prescription, distribution, storage, disposal, replacement, and administration of epinephrine auto-injectors, bronchodilator canisters, and bronchodilator canisters and spacers, and for training and authorization to be required for personnel authorized to administer epinephrine or a bronchodilator.

[2015 Acts, ch 68, §3](#); [2022 Acts, ch 1126, §2](#)

Section amended

#### **280.17 Procedures for handling child abuse reports.**

1. The board of directors of a school district and the authorities in charge of a nonpublic school shall prescribe procedures, in accordance with the guidelines contained in the model policy developed by the department of education in consultation with the department of human services, and adopted by the department of education pursuant to [chapter 17A](#), for the handling of reports of child abuse, as defined in [section 232.68, subsection 2](#), paragraph “a”, subparagraph (1), (3), or (5), alleged to have been committed by an employee or agent of the public or nonpublic school.

2. a. The board of directors of a school district and the authorities in charge of an accredited nonpublic school shall place on administrative leave a school employee who is the subject of an investigation of an alleged incident of abuse of a student conducted in accordance with [281 IAC ch. 102](#).

b. If the results of an investigation of abuse of a student by a school employee who holds a license, certificate, authorization, or statement of recognition issued by the board of educational examiners finds that the school employee’s conduct constitutes a crime under any other statute, the board or the authorities, as appropriate, shall report the results of the investigation to the board of educational examiners.

[85 Acts, ch 173, §27](#); [98 Acts, ch 1100, §36](#); [2011 Acts, ch 132, §95, 106](#); [2015 Acts, ch 29, §42](#)

Referred to in [§321.375](#)

#### **280.17A Procedures for handling dangerous weapons.**

The board of directors of a public school and the authorities in control of a nonpublic school shall prescribe procedures requiring school officials to report to local law enforcement agencies any dangerous weapon, as defined in [section 702.7](#), possessed on school premises in violation of school policy or state law.

[95 Acts, ch 191, §21](#)

#### **280.17B Students suspended or expelled for possession of dangerous weapons.**

The board of directors of a public school and the authorities in control of a nonpublic school shall prescribe procedures for continued school involvement with a student who is suspended or expelled for possession of a dangerous weapon, as defined in [section 702.7](#),

on school premises in violation of state law and for the reintegration of the student into the school following the suspension or expulsion.

95 Acts, ch 191, §22

**280.18 Student achievement goals.** Repealed by 2001 Acts, ch 159, §18.

**280.19 Plans for at-risk children.**

The board of directors of each public school district shall incorporate, into the kindergarten admissions program, criteria and procedures for identification and integration of at-risk children and their developmental needs. This incorporation shall be part of the comprehensive school improvement plan developed and implemented in accordance with section 256.7, subsection 21, paragraph “a”.

88 Acts, ch 1114, §4; 2001 Acts, ch 159, §14; 2018 Acts, ch 1057, §9

**280.19A Alternative options education programs — disclosure of records.**

1. Each school district shall adopt a plan to provide alternative options education programs to students who are either at risk of dropping out or have dropped out. An alternative options education program may be provided in a district, through a sharing agreement with a school in a contiguous district, or through an areawide program available at the community college serving the merged area in which the school district is located. Each area education agency shall provide assistance in establishing a plan to provide alternative education options to students attending a public school in a district served by the agency.

2. When a plan is developed, the district shall be responsible for the operation of the program and shall reimburse the area education agency for the actual costs incurred by the area education agency under [this section](#).

3. Notwithstanding [section 22.7, subsection 1](#), records kept regarding a student who has participated in a program under [this section](#) shall be requested by school officials of a public or nonpublic receiving school in which the student seeks to enroll, and shall be provided by the sending school. A school official who receives information under [this section](#) shall disclose this information only to those school officials and employees whose duties require them to be involved with the student. A school official or employee who discloses information received under [this section](#) in violation of [this subsection](#) shall be subject to disciplinary action, including but not limited to reprimand, suspension, or termination. “*School officials and employees*” means those officials and persons employed by a nonpublic school or public school district, and area education agency staff members who provide services to schools or school districts.

90 Acts, ch 1271, §1102; 94 Acts, ch 1131, §4; 94 Acts, ch 1172, §30; 2017 Acts, ch 54, §43; 2021 Acts, ch 80, §152

Referred to in §279.9A

Minimum hours of instruction requirement adopted by state board of education not applicable to alternative programs; 90 Acts, ch 1271, §1104

**280.20 Career and technical agriculture education.**

1. It is the intent of the general assembly to encourage the public secondary schools to develop comprehensive programs for career and technical education in agriculture technology to meet the diverse needs of Iowa’s students and to ensure an adequate supply of trained and skilled individuals in all phases of the agriculture industry. The board of directors of each public school district may develop, as part of the curriculum in grades nine through twelve, programs for career and technical education in agriculture technology.

2. a. It is also the intent of the general assembly to encourage the development of programs for career and technical education in agriculture technology which are structured on a twelve-month basis and which include the following:

(1) Provision for twelve-month extended contracts to permit entrepreneurial agricultural experience, summer program planning, and recordkeeping.

(2) Submission of an annual summer program by each career and technical agriculture instructor employed on an extended contract basis.

(3) Provision for instructional supervision for agricultural occupational experience programs.

b. Supervision and accountability of career and technical agriculture teachers employed for extended contracts are the responsibility of the local school board.

88 Acts, ch 1264, §2; 2010 Acts, ch 1031, §274; 2010 Acts, ch 1069, §79; 2016 Acts, ch 1108, §66

**280.21 Corporal punishment — burden of proof.**

1. An employee of a public school district, accredited nonpublic school, or area education agency shall not inflict, or cause to be inflicted, corporal punishment upon a student. For purposes of [this section](#), “*corporal punishment*” means the intentional physical punishment of a student. An employee’s physical contact with the body of a student shall not be considered corporal punishment if it is reasonable and necessary under the circumstances and is not designed or intended to cause pain or if the employee uses reasonable force, as defined under [section 704.1](#), for the protection of the employee, the student, or other students; to obtain the possession of a weapon or other dangerous object within a student’s control; or for the protection of property. The department of education shall adopt rules to implement [this section](#).

2. A school employee who, in the reasonable course of the employee’s employment responsibilities, comes into physical contact with a student shall be granted immunity from any civil or criminal liability which might otherwise be incurred or imposed as a result of such physical contact, if the physical contact is reasonable under the circumstances and involves any of the following:

- a. Encouraging, supporting, or disciplining the student.
- b. Protecting the employee, the student, or other students.
- c. Obtaining possession of a weapon or other dangerous object within a student’s control.
- d. Protecting employee, student, or school property.
- e. Quelling a disturbance or preventing an act threatening physical harm to any person.
- f. Removing a disruptive student from class or any area of the school premises, or from school-sponsored activities off school premises.
- g. Preventing a student from the self-infliction of harm.
- h. Self-defense.
- i. Any other legitimate educational activity.

3. To prevail in a civil action alleging a violation of [this section](#) the party bringing the action shall prove the violation by clear and convincing evidence. Any school employee determined in a civil action to have been wrongfully accused under [this section](#) shall be awarded reasonable monetary damages, in light of the circumstances involved, against the party bringing the action.

4. A school employee’s employer and the board of educational examiners shall not engage in reprisal or retaliation against a school employee who, in the reasonable course of the employee’s employment responsibilities, comes into physical contact with a student in accordance with [this section](#).

89 Acts, ch 71, §1; 90 Acts, ch 1218, §1; 94 Acts, ch 1131, §5; 98 Acts, ch 1195, §1; 2018 Acts, ch 1057, §10; 2020 Acts, ch 1108, §10, 11

Referred to in [§232.71B, 256.9](#)

**280.21A Leave — episode of violence.**

1. a. A school employee who, in the course of employment, suffers a personal injury causing temporary total disability, or a permanent partial or total disability, resulting from an episode of violence toward that employee, for which workers’ compensation under [chapter 85](#) is payable, shall be entitled to receive workers’ compensation, which the district shall supplement in order for the employee to receive full salary and benefits for the shortest of the following periods:

- (1) One year from the date of the disability.
- (2) The period during which the employee is disabled and incapable of employment.



b. During the period described in paragraph “a”, subparagraph (1) or (2), the school employee shall not be required to use accumulated sick leave or vacation.

2. The school district may require the employee, as a condition of receiving benefits under [this section](#), to provide a signed statement that justifies the use of this leave and, if medical attention is required, a certificate from a licensed physician that states the nature and duration of the leave.

3. For purposes of [this section](#), “school employee” means a person employed by a nonpublic school or school district, or any area education agency staff member who provides services to a school or school district.

[94 Acts, ch 1131, §6; 2010 Acts, ch 1061, §101](#)

#### **280.21B Expulsion — weapons in school.**

The board of directors of a school district and the authorities in charge of a nonpublic school which receives services supported by federal funds shall expel from school for a period of not less than one year a student who is determined to have brought a weapon to a school or knowingly possessed a weapon at a school under the jurisdiction of the board or the authorities. However, the superintendent or chief administering officer of a school or school district may modify expulsion requirements on a case-by-case basis. [This section](#) shall not be construed to prevent the board of directors of a school district or the authorities in charge of a nonpublic school that have expelled a student from the student’s regular school setting from providing educational services to the student in an alternative setting. If both [this section](#) and [section 282.4](#) apply, [this section](#) takes precedence over [section 282.4](#). For purposes of [this section](#), “weapon” means a firearm as defined in 18 U.S.C. §921. [This section](#) shall be construed in a manner consistent with the federal Individuals with Disabilities Education Act, 20 U.S.C. §1400 et seq.

[95 Acts, ch 191, §23](#)

Referred to in [§279.9A](#)

#### **280.22 Student exercise of free expression.**

1. Except as limited by [this section](#), students of the public schools have the right to exercise freedom of speech, including the right of expression in official school publications.

2. Students shall not express, publish, or distribute any of the following:

- a. Materials which are obscene.
- b. Materials which are libelous or slanderous under [chapter 659](#).
- c. Materials which encourage students to do any of the following:
  - (1) Commit unlawful acts.
  - (2) Violate lawful school regulations.
  - (3) Cause the material and substantial disruption of the orderly operation of the school.

3. There shall be no prior restraint of material prepared for official school publications except when the material violates [this section](#).

4. Each board of directors of a public school shall adopt rules in the form of a written publications code, which shall include reasonable provisions for the time, place, and manner of conducting such activities within its jurisdiction. The code shall incorporate all of the provisions of [this section](#). The board shall make the code available to the students and their parents.

5. Student editors of official school publications shall assign and edit the news, editorial, and feature content of their publications subject to the limitations of [this section](#). Journalism advisers of students producing official school publications shall supervise the production of the student staff in order to maintain professional standards of English and journalism and to comply with [this section](#).

6. Any expression made by students in the exercise of free speech, including student expression in official school publications, shall not be deemed to be an expression of school policy, and the public school district and school employees or officials shall not be liable in any civil or criminal action for any student expression made or published by students, unless the school employees or officials have interfered with or altered the content of the student speech

or expression, and then only to the extent of the interference or alteration of the speech or expression.

7. A public school employee or official, acting within the scope of the person's professional ethics, if any, shall not be dismissed, suspended, disciplined, reassigned, transferred, subject to termination or nonrenewal of a teaching contract issued under [section 279.13](#) or an extracurricular contract issued under [section 279.19A](#), or otherwise retaliated against for acting to protect a student for engaging in conduct authorized under [this section](#), or refusing to infringe upon student conduct that is protected by [this section](#), the first amendment to the Constitution of the United States, or [Article I, section 7, of the Constitution of the State of Iowa](#).

8. "*Official school publications*" means material produced by students in the journalism, newspaper, yearbook, or writing classes and distributed to the student body either free or for a fee.

9. [This section](#) does not prohibit a board of directors of a public school from adopting otherwise valid rules relating to oral communications by students upon the premises of each school.

[89 Acts, ch 155, §1; 2021 Acts, ch 130, §6, 7](#)

Referred to in [§279.58](#)

### **280.23 Student health services.**

The board of directors of each public school district and the authorities in charge of each nonpublic school shall not require nonadministrative personnel to perform any special health services or intrusive nonemergency medical services for students unless the nonadministrative personnel are licensed or otherwise qualified and have consented to perform the services.

[92 Acts, ch 1033, §1](#)

### **280.24 Procedures for reporting drug or alcohol possession or use.**

The board of directors of each public school and the authorities in charge of each accredited nonpublic school shall prescribe procedures to report any use or possession of alcoholic liquor, wine, or beer or any controlled substance on school premises to local law enforcement agencies, if the use or possession is in violation of school policy or state law. The procedures may include a provision which does not require a report when the school officials have determined that a school at-risk or other student assistance program would be jeopardized if a student self reports.

[97 Acts, ch 126, §38](#)

### **280.25 Information sharing — interagency agreements.**

1. The board of directors of each public school and the authorities in charge of each accredited nonpublic school shall adopt a policy and the superintendent of each public school shall adopt rules which provide that the school district or school may share information contained within a student's permanent record pursuant to an interagency agreement with state and local agencies that are part of the juvenile justice system. These agencies include, but are not limited to, juvenile court services, the department of human services, and local law enforcement authorities. The disclosure of information shall be directly related to the juvenile justice system's ability to effectively serve, prior to adjudication, the student whose records are being released.

2. The purpose of the agreement shall be to reduce juvenile crime by promoting cooperation and collaboration and the sharing of appropriate information among the parties in a joint effort to improve school safety, reduce alcohol and illegal drug use, reduce truancy, reduce in-school and out-of-school suspensions, and to support alternatives to in-school and out-of-school suspensions and expulsions which provide structured and well-supervised educational programs supplemented by coordinated and appropriate services designed to correct behaviors that lead to truancy, suspension, and expulsions and to support students in successfully completing their education.

3. Information shared under the agreement shall be used solely for determining the

programs and services appropriate to the needs of the juvenile or the juvenile's family, or coordinating the delivery of programs and services to the juvenile or the juvenile's family.

4. Information shared by the school district or school under the agreement is not admissible in any court proceedings which take place prior to a disposition hearing, unless written consent is obtained from a student's parent, guardian, or legal or actual custodian.

5. Information shared by another party to the agreement with a school district or school pursuant to an interagency agreement shall not be used as a basis for a school disciplinary action against a student.

6. The interagency agreement shall provide, and each signatory agency to the agreement shall certify in the agreement, that confidential information shared among the parties to the agreement shall remain confidential and shall not be shared with any other person, school, school district, or agency, unless otherwise provided by law.

7. Juvenile court social records may be disclosed in accordance with [section 232.147, subsection 9](#).

8. A school or school district entering into an interagency agreement under [this section](#) shall adopt a policy implementing the provisions of the interagency agreement. The policy shall include, but not be limited to, the provisions of the interagency agreement and the procedures to be used by the school or school district to share information from the student's permanent record with participating agencies. The policy shall be published in the student handbook.

[97 Acts, ch 126, §39; 2000 Acts, ch 1123, §4](#)

Referred to in [§232.147, 235A.15](#)

### **280.26 Intervention in altercations.**

1. An employee of a public school district, accredited nonpublic school, or area education agency may intervene in a fight or physical struggle occurring among students or between students and nonstudents that takes place in the presence of the school employee in a school building, on school premises, or at any school function or school-sponsored activity regardless of its location. The degree and force of the intervention may be as reasonably necessary, in the opinion of the school employee, to restore order and protect the safety of the individuals involved in the altercation and others in the vicinity of the altercation.

2. A person who is not an employee of a public school district, accredited nonpublic school, or area education agency may intervene in a fight or physical struggle occurring among students, or between students and nonstudents, that takes place in the presence of the nonemployee in a school building, on school premises, or at any school function or school-sponsored activity regardless of its location. The intervention may occur in the absence of an employee of a public school district, accredited nonpublic school, or area education agency, or at the request of such an employee, utilizing the degree and force of intervention reasonably necessary to restore order and protect the safety of the individuals involved in the altercation and others in the vicinity of the altercation. However, a person who intervenes in the absence of an employee of a public school district, accredited nonpublic school, or area education agency shall report the intervention and all relevant information regarding the situation as soon as reasonably possible to such an employee.

3. An employee of a public school district, accredited nonpublic school, or area education agency who intervenes in a fight or physical struggle pursuant to [subsection 1](#) shall be awarded reasonable monetary damages against a party bringing a civil action alleging a violation of [this section](#), if it is determined in the action that the employee has been wrongfully accused. A nonemployee of a public school district, accredited nonpublic school, or area education agency who intervenes in a fight or physical struggle pursuant to [subsection 2](#) shall be limited to the recovery of reasonable attorney fees and court costs, if it is determined in a civil action alleging a violation of [this section](#) that the nonemployee has been wrongfully accused.

[98 Acts, ch 1195, §2; 2018 Acts, ch 1057, §11](#)

**280.27 Reporting violence — immunity.**

An employee of a school district, an accredited nonpublic school, or an area education agency who participates in good faith and acts reasonably in the making of a report to, or investigation by, an appropriate person or agency regarding violence, threats of violence, physical or sexual abuse of a student, or other inappropriate activity against a school employee or student in a school building, on school grounds, or at a school-sponsored function shall be immune from civil or criminal liability relating to such action, as well as for participating in any administrative or judicial proceeding resulting from or relating to the report or investigation.

[2000 Acts, ch 1162, §1](#); [2011 Acts, ch 132, §96, 106](#)

Referred to in [§279.51A, 613.21](#)

Similar provision, see [§613.21](#)

**280.28 Harassment and bullying prohibited — policy — immunity.**

1. *Purpose — findings — policy.* The state of Iowa is committed to providing all students with a safe and civil school environment in which all members of the school community are treated with dignity and respect. The general assembly finds that a safe and civil school environment is necessary for students to learn and achieve at high academic levels. Harassing and bullying behavior can seriously disrupt the ability of school employees to maintain a safe and civil environment, and the ability of students to learn and succeed. Therefore, it is the policy of the state of Iowa that school employees, volunteers, and students in Iowa schools shall not engage in harassing or bullying behavior.

2. *Definitions.* For purposes of [this section](#), unless the context otherwise requires:

a. “*Electronic*” means any communication involving the transmission of information by wire, radio, optical cable, electromagnetic, or other similar means. “*Electronic*” includes but is not limited to communication via electronic mail, internet-based communications, pager service, cell phones, and electronic text messaging.

b. “*Harassment*” and “*bullying*” shall be construed to mean any electronic, written, verbal, or physical act or conduct toward a student which is based on any actual or perceived trait or characteristic of the student and which creates an objectively hostile school environment that meets one or more of the following conditions:

(1) Places the student in reasonable fear of harm to the student’s person or property.

(2) Has a substantially detrimental effect on the student’s physical or mental health.

(3) Has the effect of substantially interfering with a student’s academic performance.

(4) Has the effect of substantially interfering with the student’s ability to participate in or benefit from the services, activities, or privileges provided by a school.

c. “*Trait or characteristic of the student*” includes but is not limited to age, color, creed, national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical attributes, physical or mental ability or disability, ancestry, political party preference, political belief, socioeconomic status, or familial status.

d. “*Volunteer*” means an individual who has regular, significant contact with students.

3. *Policy.* On or before September 1, 2007, the board of directors of a school district and the authorities in charge of each accredited nonpublic school shall adopt a policy declaring harassment and bullying in schools, on school property, and at any school function, or school-sponsored activity regardless of its location, in a manner consistent with [this section](#), as against state and school policy. The board and the authorities shall make a copy of the policy available to all school employees, volunteers, students, and parents or guardians and shall take all appropriate steps to bring the policy against harassment and bullying and the responsibilities set forth in the policy to the attention of school employees, volunteers, students, and parents or guardians. Each policy shall, at a minimum, include all of the following components:

a. A statement declaring harassment and bullying to be against state and school policy. The statement shall include but not be limited to the following provisions:

(1) School employees, volunteers, and students in school, on school property, or at any school function or school-sponsored activity shall not engage in harassing and bullying behavior.

(2) School employees, volunteers, and students shall not engage in reprisal, retaliation, or false accusation against a victim, witness, or an individual who has reliable information about such an act of harassment or bullying.

b. A definition of harassment and bullying as set forth in [this section](#).

c. A description of the type of behavior expected from school employees, volunteers, parents or guardians, and students relative to prevention measures, reporting, and investigation of harassment or bullying.

d. The consequences and appropriate remedial action for a person who violates the antiharassment and antibullying policy.

e. A procedure for reporting an act of harassment or bullying, including the identification by job title of the school official responsible for ensuring that the policy is implemented, and the identification of the person or persons responsible for receiving reports of harassment or bullying.

f. A procedure for the prompt investigation of complaints, either identifying the school superintendent or the superintendent's designee as the individual responsible for conducting the investigation, including a statement that investigators will consider the totality of circumstances presented in determining whether conduct objectively constitutes harassment or bullying under [this section](#).

g. A statement of the manner in which the policy will be publicized.

4. *Programs encouraged.* The board of directors of a school district and the authorities in charge of each accredited nonpublic school are encouraged to establish programs designed to eliminate harassment and bullying in schools. To the extent that funds are available for these purposes, school districts and accredited nonpublic schools shall do the following:

a. Provide training on antiharassment and antibullying policies to school employees and volunteers who have significant contact with students.

b. Develop a process to provide school employees, volunteers, and students with the skills and knowledge to help reduce incidents of harassment and bullying.

5. *Immunity.* A school employee, volunteer, or student, or a student's parent or guardian who promptly, reasonably, and in good faith reports an incident of harassment or bullying, in compliance with the procedures in the policy adopted pursuant to [this section](#), to the appropriate school official designated by the school district or accredited nonpublic school, shall be immune from civil or criminal liability relating to such report and to participation in any administrative or judicial proceeding resulting from or relating to the report.

6. *Collection requirement.* The board of directors of a school district and the authorities in charge of each nonpublic school shall develop and maintain a system to collect harassment and bullying incidence data.

7. *Integration of policy and reporting.* The board of directors of a school district and the authorities in charge of each nonpublic school shall integrate its antiharassment and antibullying policy into the comprehensive school improvement plan required under [section 256.7, subsection 21](#), and shall report data collected under [subsection 6](#), as specified by the department, to the local community.

8. *Existing remedies not affected.* [This section](#) shall not be construed to preclude a victim from seeking administrative or legal remedies under any applicable provision of law.

[2007 Acts, ch 9, §2](#)

Referred to in [§279.10, 282.18](#)

### **280.29 Enrollment of children adjudicated or in foster care — transfer of educational records — services.**

1. In order to facilitate the educational stability of children adjudicated under [chapter 232](#) or receiving foster care services, a school district, upon notification by an agency of the state that a child adjudicated under [chapter 232](#) or receiving foster care services is transferring to and enrolling in the school district, shall provide for the immediate and appropriate enrollment of the child. The school district shall do the following:

a. Work with an area education agency child welfare liaison, if the area education agency has employed such a liaison in accordance with [section 273.2, subsection 10](#), to develop

systems to ease the enrollment transition of a child adjudicated under [chapter 232](#) or receiving foster care services to another school.

b. Develop procedures for awarding credit for coursework, including electives, completed by a child adjudicated under [chapter 232](#) or receiving foster care services while enrolled at another school.

(1) Credits and grades earned and offered for acceptance shall be based on official transcripts and shall be accepted without validation unless required under the receiving school district's accreditation requirements.

(2) If the child earned less than a passing grade for a unit of coursework, the school district may require the child to retake the class in middle or high school. If the school district determines the child's proficiencies in an elementary grade are substantially deficient, the child's parent or guardian shall be notified and intensive instructional services and supports pursuant to [section 279.68](#) shall be provided if appropriate.

c. Promote practices that facilitate access by a child adjudicated under [chapter 232](#) or receiving foster care services to extracurricular programs, summer programs, and credit transfer services.

d. Establish procedures to lessen the adverse impact of the enrollment transfer of a child adjudicated under [chapter 232](#) or receiving foster care services to another school.

e. Enter into a memorandum of understanding with the department of human services regarding the exchange of information as appropriate to facilitate the enrollment transition of children adjudicated under [chapter 232](#) or receiving foster care services from one school to another school.

f. Provide other assistance as identified by the area education child welfare liaison.

2. A school district or an accredited nonpublic school, upon notification by an agency of the state that a child adjudicated under [chapter 232](#) or in foster care is transferring enrollment from the school district or accredited nonpublic school to another school district or accredited nonpublic school, shall promptly provide for the transfer of all of the educational records of the child not later than five school days after receiving the notification.

[2009 Acts, ch 120, §5; 2014 Acts, ch 1091, §2](#)

### **280.30 High-quality school building emergency operations plans.**

1. The board of directors of a school district and the authorities in charge of each accredited nonpublic school shall develop a high-quality emergency operations plan for the district and individual school buildings in which students are educated no later than June 30, 2019. The plan shall include but not be limited to responses to active shooter scenarios and natural disasters. The plan shall provide that any alert regarding an emergency situation that is transmitted to school personnel or students by electronic means shall also be transmitted to the employer of any individual who is not a school employee but who is required as a part of the individual's employment to regularly be present in a school building during the school year. The plan shall include publication of procedures for school personnel, parents, and guardians to report possible threats to the safety of students or school personnel on school grounds or at school activities. The board and authorities shall consider any recommendations of the department of education relating to the development of a high-quality emergency operations plan and shall consult with local emergency management coordinators and local law enforcement agencies in the development of the plan. The board and authorities shall review and update the plan on an annual basis. The plan shall be confidential and shall not be a public record subject to disclosure under [chapter 22](#).

2. The board of directors of a school district and the authorities in charge of each accredited nonpublic school shall require that at least once per school year an emergency operations drill based on the emergency operations plan be conducted in each individual school building in which students are educated. The board and authorities shall determine which school personnel participate in the drill and whether students or local law enforcement agencies participate in the drill. The drill may include but is not limited to a table top exercise, walk-through, partial drill, or full drill. [This subsection](#) shall not be construed to affect the requirements of [section 100.31, subsection 1](#).

[2018 Acts, ch 1109, §1](#)

**280.31 Facial coverings.**

The board of directors of a school district, the superintendent or chief administering officer of a school or school district, and the authorities in charge of each accredited nonpublic school shall not adopt, enforce, or implement a policy that requires its employees, students, or members of the public to wear a facial covering for any purpose while on the school district's or accredited nonpublic school's property unless the facial covering is necessary for a specific extracurricular or instructional purpose, or is required by [section 280.10](#) or [280.11](#) or any other provision of law.

[2021 Acts, ch 139, §28, 31](#)

**280.32 Radon testing and mitigation.**

1. For purposes of [this section](#), “*short-term test*” means a test using a device that remains in an area for two to seven days to determine the amount of radon in the air.

2. The board of directors of each public school district shall establish a radon plan and schedule for short-term tests for radon gas to be performed at each attendance center under its control at least once by July 1, 2027, and at least once every five years thereafter. Each school district shall publish testing results on the district's internet site in a timely manner.

3. Radon testing pursuant to [this section](#) conducted on and after July 1, 2022, shall be conducted by a person certified to conduct such testing pursuant to [section 136B.1](#) or by district employees that have completed a school radon testing training program approved by the department of education and the department of public health. District employees that have completed training shall not perform testing services in locations other than the employee's employing district. The department of public health shall maintain and make available to school districts a list of such approved school radon testing training programs. Testing shall be based on recognized national standards that outline school radon testing practices.

4. *a.* If the results of a short-term test at an attendance center are at or above four picocuries per liter, the board of directors of the public school district shall conduct a second short-term test for radon gas and radon decay products in the spaces with elevated results within sixty days of the first test.

*b.* If the averaged results of the first and second tests at an attendance center pursuant to paragraph “*a*” are at or above four picocuries per liter, the board of directors of the public school district shall retain or employ a person credentialed pursuant to [section 136B.1](#) to develop a radon mitigation plan that may include further diagnostic testing, corrective measures, and active mitigation. The board shall complete the radon mitigation plan within two years of the first test. A district is not required to mitigate radon at an attendance center if the district intends to abandon the building within five years or has a plan to renovate the attendance center within five years and the renovation will include radon mitigation.

5. All new school construction shall incorporate radon resistant construction techniques.

6. In consultation with appropriate stakeholders and the department of education, the department of public health shall adopt rules to administer [this section](#).

[2022 Acts, ch 1097, §1, 4](#)

Referred to in [§423F.3](#)

For provisions relating to certain funding for radon testing, see [§423F.3\(3\)\(a\)](#)

NEW section