

Senate File 2318

H-8308

1 Amend the amendment, H-8307, to Senate File 2318,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. By striking page 1, line 1, through page 3, line  
5 2, and inserting:

6 <Amend Senate File 2318, as amended, passed, and  
7 reprinted by the Senate, as follows:

8 \_\_\_\_\_. By striking everything after the enacting  
9 clause and inserting:

10 <Section 1. Section 256.7, Code 2014, is amended by  
11 adding the following new subsection:

12 NEW SUBSECTION. 33. Adopt rules incorporating the  
13 training required by section 272.2, subsection 19, into  
14 the standards for school district or attendance center  
15 teacher professional development plans in accordance  
16 with section 284.6 and school district or attendance  
17 center administrator professional development plans in  
18 accordance with section 284A.6.

19 Sec. 2. Section 272.2, Code 2014, is amended by  
20 adding the following new subsection:

21 NEW SUBSECTION. 19. *a.* Adopt rules requiring  
22 all teachers who have regular and substantial contact  
23 with students to complete training on harassment and  
24 bullying prevention and response as part of their  
25 professional development and training plans, to the  
26 extent such training is made available by the state  
27 of Iowa at no charge to trainees, schools, or school  
28 districts.

29 *b.* Adopt rules requiring all individuals applying  
30 for or renewing a license, certificate, authorization,  
31 or statement of recognition issued by the board who  
32 are responsible for conducting investigations of  
33 complaints of incidents of harassment or bullying to  
34 complete training on the provisions of section 280.28;  
35 conducting impartial investigations with transparency;  
36 collecting evidence; following up on previous  
37 investigations; and reporting founded and unfounded  
38 incidents of harassment and bullying to the department;  
39 to the extent such training is made available by the  
40 state of Iowa at no charge to trainees, schools, or  
41 school districts.

42 *c.* Adopt rules requiring all individuals applying  
43 for or renewing an administrator license to complete  
44 training on implementation of school-wide policies and  
45 procedures for harassment and bullying identification,  
46 reporting, response, and prevention, to the extent such  
47 training is made available by the state of Iowa at no  
48 charge to trainees, schools, or school districts.

49 Sec. 3. Section 280.28, subsection 2, paragraph a,  
50 Code 2014, is amended to read as follows:

1     *a.* "Electronic" means any communication involving  
2 the transmission of information by wire, radio,  
3 optical cable, electromagnetic, or other similar  
4 means. "Electronic" includes but is not limited to  
5 communication via electronic mail, internet-based  
6 communications including social networking sites  
7 and applications, pager service, cell phones, and  
8 electronic text messaging, or any other electronic  
9 communication site, device, or means.

10     Sec. 4. Section 280.28, subsection 5, Code 2014, is  
11 amended to read as follows:

12     5. *Immunity.*

13     *a.* A school employee, volunteer, or student, or a  
14 student's parent or guardian who promptly, reasonably,  
15 and in good faith reports an incident of harassment  
16 or bullying, in compliance with the procedures in  
17 the policy adopted pursuant to this section, to the  
18 appropriate school official designated by the school  
19 district or accredited nonpublic school, shall be  
20 immune from civil or criminal liability relating to  
21 such report and to participation in any administrative  
22 or judicial proceeding resulting from or relating to  
23 the report.

24     *b.* A school district, school, or employee thereof  
25 who reasonably and in good faith follows notification  
26 procedures established as provided in subsection  
27 9 shall be immune from civil or criminal liability  
28 relating to such notification procedures and to  
29 participation in any administrative or judicial  
30 proceeding resulting from or relating to such  
31 notification procedures.

32     Sec. 5. Section 280.28, Code 2014, is amended by  
33 adding the following new subsection:

34     NEW SUBSECTION. 9. *Parental notification.*

35     *a.* Each school district and accredited nonpublic  
36 school shall establish notification procedures for  
37 incidents of harassment or bullying in accordance  
38 with this subsection. The procedures shall include  
39 notification of the custodial parent or guardian of any  
40 student directly involved in any incident of harassment  
41 or bullying, upon investigation and determination that  
42 harassment or bullying has occurred, consistent with a  
43 notification plan made in consultation with the student  
44 and school guidance staff. The notification shall  
45 include information on the action that school officials  
46 have taken regarding the incident and the actions  
47 school officials will take to prevent further acts  
48 of harassment or bullying. If such notification is  
49 delayed, the school district or school shall document  
50 the reasons for the delay. This paragraph does not

1 prohibit a school official from contacting a parent  
2 or guardian about a report of harassment or bullying  
3 prior to a determination that harassment or bullying  
4 has occurred.

5 *b.* The requirements of this subsection shall  
6 not apply if a school official reasonably believes  
7 notification would subject a student to abuse, neglect,  
8 or other physical or mental harm.

9 *c.* Notification pursuant to this subsection  
10 shall comply with state and federal privacy laws,  
11 regulations, and rules.

12 Sec. 6. Section 282.18, subsection 11, Code 2014,  
13 is amended to read as follows:

14 11. A pupil who participates in open enrollment  
15 for purposes of attending a grade in grades nine  
16 through twelve in a school district other than the  
17 district of residence is ineligible to participate  
18 in varsity interscholastic athletic contests and  
19 athletic competitions during the pupil's first ninety  
20 school days of enrollment in the district except that  
21 the pupil may participate immediately in a varsity  
22 interscholastic sport if the pupil is entering grade  
23 nine for the first time and did not participate in  
24 an interscholastic athletic competition for another  
25 school or school district during the summer immediately  
26 following eighth grade, if the district of residence  
27 and the other school district jointly participate  
28 in the sport, if the sport in which the pupil wishes  
29 to participate is not offered in the district of  
30 residence, if the pupil chooses to use open enrollment  
31 to attend school in another school district because  
32 the district in which the student previously attended  
33 school was dissolved and merged with one or more  
34 contiguous school districts under section 256.11,  
35 subsection 12, if the pupil participates in open  
36 enrollment because the pupil's district of residence  
37 has entered into a whole grade sharing agreement  
38 with another district for the pupil's grade, ~~or~~ if  
39 the parent or guardian of the pupil participating  
40 in open enrollment is an active member of the armed  
41 forces and resides in permanent housing on government  
42 property provided by a branch of the armed services,  
43 or if the district of residence determines that the  
44 pupil was previously subject to a founded incident of  
45 harassment or bullying as defined in section 280.28  
46 while attending school in the district of residence.  
47 A pupil who has paid tuition and attended school, or  
48 has attended school pursuant to a mutual agreement  
49 between the two districts, in a district other than  
50 the pupil's district of residence for at least one

1 school year is also eligible to participate immediately  
2 in interscholastic athletic contests and athletic  
3 competitions under this section, but only as a member  
4 of a team from the district that pupil had attended.  
5 For purposes of this subsection, "*school days of*  
6 *enrollment*" does not include enrollment in summer  
7 school. For purposes of this subsection, "*varsity*"  
8 means the same as defined in section 256.46.>  
9 \_\_\_\_\_. Title page, by striking lines 2 through 6 and  
10 inserting <antibullying policies and providing for  
11 training on harassment and bullying prevention and  
12 response.>>  
13 2. By renumbering as necessary.

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STANERSON of Linn

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COURTH of Warren