

House File 744

S-3109

1 Amend House File 744, as amended, passed, and reprinted by  
2 the House, as follows:

3 1. Page 3, after line 9 by inserting:

4 <Sec. \_\_\_\_\_. NEW SECTION. 261H.7 Student government  
5 organizations — student fees — appeals — liability.

6 1. Each institution of higher education governed by  
7 the state board of regents shall make a student government  
8 organization's access to and authority over any moneys  
9 disbursed to the student government organization by  
10 the institution contingent upon the student government  
11 organization's compliance with the first amendment to the  
12 Constitution of the United States and the provisions of this  
13 chapter.

14 2. If, after exhaustion of all administrative or  
15 judicial appeals, it is determined that a student government  
16 organization knowingly and intentionally violated the first  
17 amendment rights of a member of the campus community or that  
18 an action or decision of a student government organization is  
19 in violation of this section, the institution shall suspend  
20 the student government organization's authority to manage and  
21 disburse student fees for a period of one year. During this  
22 period of suspension, such student fees shall be managed and  
23 disbursed by the institution.

24 Sec. \_\_\_\_\_. Section 262.9, Code 2021, is amended by adding the  
25 following new subsection:

26 NEW SUBSECTION. 39. Appoint annually from among its  
27 membership a three-member nonpartisan free speech committee  
28 that shall receive complaints under section 261H.5 relating  
29 to the institutions of higher learning governed by the state  
30 board.

31 Sec. \_\_\_\_\_. Section 272.2, subsection 14, Code 2021, is  
32 amended by adding the following new paragraph:

33 NEW PARAGRAPH. e. The board may deny a license to or  
34 revoke the license of a person upon the board's finding by a  
35 preponderance of evidence that the person discriminated against

1 a student in violation of section 261H.2, subsection 3, or  
2 section 279.73.>

3 2. Page 3, after line 30 by inserting:

4 <Sec. \_\_\_\_\_. Section 280.22, subsections 4 and 5, Code 2021,  
5 are amended to read as follows:

6 4. Each board of directors of a public school shall adopt  
7 rules in the form of a written publications code, which shall  
8 include reasonable provisions for the time, place, and manner  
9 of conducting such activities within its jurisdiction. The  
10 code shall incorporate all of the provisions of this section.

11 The board shall make the code available to the students and  
12 their parents.

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

20 Sec. \_\_\_\_\_. Section 280.22, Code 2021, is amended by adding  
21 the following new subsection:

22 NEW SUBSECTION. 6A. A public school employee or official,  
23 acting within the scope of the person's professional ethics,  
24 if any, shall not be dismissed, suspended, disciplined,  
25 reassigned, transferred, subject to termination or nonrenewal  
26 of a teaching contract issued under section 279.13 or an  
27 extracurricular contract issued under section 279.19A, or  
28 otherwise retaliated against for acting to protect a student  
29 for engaging in conduct authorized under this section, or  
30 refusing to infringe upon student conduct that is protected by  
31 this section, the first amendment to the Constitution of the  
32 United States, or Article I, section 7, of the Constitution of  
33 the State of Iowa.

34 Sec. \_\_\_\_\_. IMPLEMENTATION OF ACT. Section 25B.2, subsection  
35 3, shall not apply to this Act.>

1 3. By renumbering as necessary.

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COMMITTEE ON EDUCATION  
AMY SINCLAIR, CHAIRPERSON