

Senate Amendment to  
House File 604

H-1316

1 Amend House File 604, as amended, passed, and reprinted by  
2 the House, as follows:

3 1. By striking everything after the enacting clause and  
4 inserting:

5 <Section 1. Section 2C.9, Code 2023, is amended by adding  
6 the following new subsection:

7 NEW SUBSECTION. 2A. Investigate, on complaint, any  
8 complaint received by an individual who holds a license,  
9 certificate, authorization, or statement of recognition issued  
10 by the board of educational examiners related to violence in  
11 the classroom or violence on school property, including any  
12 disclosure of information to which section 279.78 applies  
13 related to violence in the classroom or violence on school  
14 property. The ombudsman shall provide the results of the  
15 investigation to the department of education and the board of  
16 educational examiners. The ombudsman shall maintain secrecy in  
17 respect to the identities of the complainants.

18 Sec. 2. Section 256.9, Code 2023, is amended by adding the  
19 following new subsections:

20 NEW SUBSECTION. 66. Develop and distribute to school  
21 districts a list of all professional development programs and  
22 other training programs in which employees of school districts  
23 are required to participate pursuant to federal law or state  
24 law, including chapter 284.

25 NEW SUBSECTION. 67. Develop and distribute to school  
26 districts and charter schools model policies that, if adopted  
27 by a school district or charter school, would satisfy the  
28 school district's or charter school's responsibilities under  
29 section 279.79 relating to the discipline of a student for  
30 making a threat of violence or causing an incident of violence  
31 that results in injury or property damage or assault.

32 Sec. 3. Section 256E.7, subsection 2, Code 2023, is amended  
33 by adding the following new paragraphs:

34 NEW PARAGRAPH. *Oj.* Be subject to and comply with the  
35 requirements of section 279.78 relating to prohibiting

1 retaliation against employees or contractors for disclosing  
2 certain specified information in the same manner as a school  
3 district.

4 NEW PARAGRAPH. *00j.* Be subject to and comply with the  
5 requirements of section 279.79 relating to the adoption of  
6 policies related to the discipline of a student for making a  
7 threat of violence or causing an incident of violence that  
8 results in injury or property damage or assault in the same  
9 manner as a school district.

10 NEW PARAGRAPH. *000j.* Be subject to and comply with the  
11 requirements of section 279.80 relating to student handbooks in  
12 the same manner as a school district.

13 Sec. 4. Section 279.51A, subsection 4, Code 2023, is amended  
14 to read as follows:

15 4. *a.* A classroom teacher employed by a school district  
16 shall report any threat of violence or incident of violence  
17 that results in injury or property damage or assault by a  
18 student enrolled in the school to the principal or the lead  
19 administrator of the school within twenty-four hours after the  
20 threat of violence or incident of violence occurs, and the  
21 classroom teacher may notify the parent or guardian of the  
22 student who made the threat of violence or caused the incident  
23 of violence, and the parent or guardian of the student to whom  
24 the threat of violence was made or the incident of violence  
25 occurred, of the threat of violence or incident of violence.

26 *b.* The principal or lead administrator of the school shall  
27 notify the parent or guardian of the student enrolled in the  
28 school who made the threat of violence or caused the incident  
29 of violence that resulted in injury or property damage or  
30 assault, and the parent or guardian of the student to whom  
31 the threat of violence was made or the incident of violence  
32 occurred, of the threat of violence or incident of violence  
33 within twenty-four hours after the classroom teacher reports  
34 the threat of violence or incident of violence to the principal  
35 or lead administrator pursuant to paragraph "a".

1       Sec. 5. NEW SECTION.   **279.77 Professional development —**  
2 **notification.**

3       If a school district requires an employee to participate  
4 in a particular professional development program, including  
5 a program that is included on the list developed by the  
6 department of education pursuant to section 256.9, subsection  
7 66, the school district shall provide notice to the employee  
8 indicating the section of the Code, or rules adopted by the  
9 state board of education or the board of educational examiners,  
10 the school district determines requires the employee to  
11 participate in the professional development program.

12       Sec. 6. NEW SECTION.   **279.78 Retaliation prohibition.**

13       The board of directors of a school district shall not take  
14 any disciplinary action against an employee or contractor of  
15 the school district for disclosing information to any public  
16 official or law enforcement agency, including a disclosure  
17 to the ombudsman pursuant to section 2C.9, subsection 2A, if  
18 the employee or contractor reasonably believes the information  
19 evidences a violation of law or rule, mismanagement, a gross  
20 abuse of funds, an abuse of authority, or a substantial and  
21 specific danger to public health or safety. For purposes of  
22 this section, "*disciplinary action*" includes termination of  
23 employment or the contractual relationship, suspension from  
24 employment, demotion, financial penalties, failing to take  
25 action regarding an employee's or contractor's promotion  
26 or proposed promotion, failing to provide an advantage in  
27 employment or the contractual relationship, and written or  
28 verbal reprimands.

29       Sec. 7. NEW SECTION.   **279.79 Discipline of students who make**  
30 **threats of violence or cause incidents of violence.**

31       The board of directors of each school district shall adopt,  
32 in collaboration with teachers and administrative staff  
33 employed by the school district, policies for different grade  
34 levels that describe how a school district may discipline a  
35 student for making a threat of violence or causing an incident

1 of violence that results in injury or property damage or  
2 assault. All of the following shall apply to the policies:

3 1. The policies must incorporate strategies that are  
4 designed to correct the student's behavior.

5 2. The policies must provide for parent or guardian  
6 conferences, counseling sessions, or mental health counseling  
7 sessions, when appropriate. The policies must provide that  
8 the school district must receive the prior written consent of  
9 the student's parent or guardian before requiring the student  
10 to participate in a counseling session or a mental health  
11 counseling session.

12 3. The policies must be consistent with the provisions of  
13 chapter 256B, the administrative rules adopted by the state  
14 board for purposes of chapter 256B, the federal Individuals  
15 with Disabilities Education Act, 20 U.S.C. §1400 et seq., and  
16 the federal Rehabilitation Act of 1973, as amended and codified  
17 in 29 U.S.C. §701 et seq.

18 4. The policies must provide for escalating levels of  
19 discipline each time the student makes a threat of violence  
20 or causes an incident of violence that results in injury or  
21 property damage or assault.

22 5. The policies must allow for the school district to select  
23 the level of discipline that the school district determines  
24 corresponds to the severity of the threat of violence or  
25 incident of violence.

26 6. The policies must allow the school district to  
27 suspend the student, permanently remove the student from a  
28 particular class, expel the student, or place the student in  
29 an alternative learning environment, including a therapeutic  
30 classroom, when appropriate.

31 7. The policies must require an individualized education  
32 program meeting if the student who made the threat of violence  
33 or caused the incident of violence that resulted in injury or  
34 property damage or assault has an individualized education  
35 program.

1 8. The policies must be published on the school district's  
2 internet site and in applicable student handbooks.

3 Sec. 8. NEW SECTION. 279.80 Student handbooks.

4 1. Annually, on or before the beginning of the school  
5 calendar, each school district shall publish one or more  
6 student handbooks and provide to the parent or guardian of each  
7 student enrolled in the school district a printed or electronic  
8 copy of a student handbook that includes basic information  
9 related to the expectations of students in the grade level  
10 or attendance center to which the student handbook applies,  
11 including information related to academics, attendance,  
12 discipline, health and safety, and daily schedules.

13 2. Each school district shall require that the parent  
14 or guardian of each student enrolled in the school district  
15 acknowledge receipt of the applicable student handbook, either  
16 in writing or electronically.

17 Sec. 9. Section 280.21, Code 2023, is amended by adding the  
18 following new subsection:

19 NEW SUBSECTION. 5. A public school district or area  
20 education agency shall provide to all teachers employed by the  
21 public school district or area education agency a copy of this  
22 section with the initial employment contract and with each  
23 notice of renewal of the employment contract.>

24 2. Title page, by striking lines 5 through 8 and inserting  
25 <and modifying the responsibilities of the department of  
26 education, school districts, and charter schools.>