

Senate File 2428

H-8306

1 Amend Senate File 2428, as amended, passed, and reprinted by  
2 the Senate, as follows:

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

5 <Section 1. Section 256.9, Code 2026, is amended by adding  
6 the following new subsection:

7 NEW SUBSECTION. 80. Develop and distribute to school  
8 districts a training program and training materials for members  
9 of a student's individualized education program team that is  
10 related to the least restrictive environment requirements under  
11 the federal Individuals with Disabilities Education Act, 20  
12 U.S.C. §1400 et seq.

13 Sec. 2. Section 256.11, subsection 10, unnumbered paragraph  
14 1, Code 2026, is amended to read as follows:

15 The state board shall establish, and the department  
16 shall use, for the school year commencing July 1, 2021, and  
17 each succeeding school year, an accreditation, monitoring,  
18 and enforcement process for school districts and nonpublic  
19 schools seeking accreditation pursuant to **this subsection** and  
20 subsections 11 and 12. In applying and taking monitoring and  
21 enforcement action under this subsection and subsections 11 and  
22 12, the department shall consider the timeliness and accuracy  
23 of the information a school district or nonpublic school  
24 provides to the department, including potential underreporting  
25 or late reporting of data related to school discipline and  
26 school safety necessary to monitor and implement the provisions  
27 of chapter 280. The process established shall include all of  
28 the following requirements:

29 Sec. 3. NEW SECTION. 256.20 **Schools for students requiring**  
30 **special education or students with behavioral issues — pilot**  
31 **project.**

32 1. The department shall develop and administer a pilot  
33 program that requires a rural school district and an urban  
34 school district to each establish an attendance center to  
35 be used to provide educational services, including special

1 education services, to eligible students who are enrolled  
2 in the rural school district or urban school district, as  
3 applicable.

4 2. The department shall determine the rural school district  
5 and urban school district that will be required to participate  
6 in the pilot program. A rural school district or an urban  
7 school district shall not be required to participate in the  
8 pilot program unless any one of the following applies:

9 a. The rural school district or urban school district agrees  
10 to participate in the pilot program and provides notice to the  
11 department indicating that the rural school district or urban  
12 school district has the ability to fully fund the rural school  
13 district's or urban school district's participation in the  
14 pilot program.

15 b. The department fully funds the rural school district's  
16 or urban school district's participation in the pilot program  
17 using moneys appropriated by the general assembly for purposes  
18 of this section.

19 3. The department, in consultation with the rural school  
20 district and urban school district, shall determine all of the  
21 following:

22 a. The courses of study and curricula that the rural school  
23 district and urban school district will provide to eligible  
24 students as part of the pilot program.

25 b. The instructional facilities that the rural school  
26 district and urban school district will use to provide  
27 educational services to eligible students as part of the pilot  
28 program.

29 4. a. Annually, on or before June 1 of each year, the rural  
30 school district and urban school district shall submit to the  
31 department an annual report that contains all of the following:

32 (1) The number of eligible students who participated in the  
33 pilot program during the current school year.

34 (2) Information related to the academic performance of  
35 eligible students who participated in the pilot program during

1 the current school year.

2 (3) Feedback from eligible students who participated in the  
3 pilot program during the current school year related to the  
4 effectiveness of the pilot program.

5 (4) Feedback from the parents or guardians of eligible  
6 students who participated in the pilot program during the  
7 current school year related to the effectiveness of the pilot  
8 program.

9 (5) Feedback from teachers who provided educational  
10 services to eligible students who participated in the  
11 pilot program during the current school year related to the  
12 effectiveness of the pilot program.

13 (6) Challenges associated with operating the pilot program.

14 (7) Recommendations related to how to improve the pilot  
15 program.

16 (8) Any other information requested by the department that  
17 will allow the department to monitor and assess the pilot  
18 program.

19 *b.* Annually, on or before June 30 of each year, the  
20 department shall compile the annual reports submitted to the  
21 department pursuant to paragraph "a" and shall submit the  
22 compilation to the general assembly.

23 5. As used in this section:

24 *a.* "*Eligible student*" means any of the following:

25 (1) Children requiring special education, as defined in  
26 section 256B.2.

27 (2) A student whose emotional, social, or behavioral  
28 needs interfere with the student's ability to be successful  
29 in the regular educational environment, even with the use of  
30 supplementary aids and services.

31 *b.* "*Rural school district*" means a school district as  
32 described in chapter 274 that is located in a county with a  
33 population of greater than seventeen thousand five hundred but  
34 less than eighteen thousand, and that contains a city with a  
35 population of greater than five thousand four hundred, but less

1 than five thousand five hundred, all according to the 2020  
2 federal decennial census.

3 *c.* "Urban school district" means a school district as  
4 described in chapter 274 with a total enrollment of at least  
5 seven thousand students.

6 6. This section is repealed July 1, 2031.

7 Sec. 4. Section 256E.7, subsection 2, Code 2026, is amended  
8 by adding the following new paragraph:

9 NEW PARAGRAPH. *On.* Be subject to and comply with the  
10 requirements of section 279.65B relating to the discipline of  
11 students who cause violent or nonviolent disruptions in the  
12 same manner as a school district.

13 Sec. 5. Section 256F.4, subsection 2, Code 2026, is amended  
14 by adding the following new paragraph:

15 NEW PARAGRAPH. *v.* Be subject to and comply with the  
16 requirements of section 279.65B relating to the discipline of  
17 students who cause violent or nonviolent disruptions in the  
18 same manner as a school district.

19 Sec. 6. Section 279.65A, subsection 3, Code 2026, is amended  
20 to read as follows:

21 3. The policies must be consistent with ~~the~~ all of the  
22 following:

23 a. The provisions of [chapter 256B](#), and the administrative  
24 rules adopted by the state board for purposes of [chapter 256B](#),  
25 the.

26 b. The federal Individuals with Disabilities Education Act,  
27 20 U.S.C. §1400 et seq., ~~and the~~

28 c. The federal Rehabilitation Act of 1973, as amended and  
29 codified in 29 U.S.C. §701 et seq.

30 d. Section 279.65B.

31 Sec. 7. NEW SECTION. 279.65B Discipline of students who  
32 cause violent or nonviolent disruptions.

33 1. As used in this section:

34 *a.* "Nonviolent disruption" includes but is not limited to a  
35 disruption to classroom instruction that is a result of any of

1 the following:

2 (1) Disorderly conduct.

3 (2) Abusive or profane language.

4 (3) Bullying, as defined under section 280.28.

5 (4) Repeatedly disruptive behavior.

6 *b.* "Principal" means the same as defined in section 256.145.

7 "Principal" includes all of the following:

8 (1) An assistant principal.

9 (2) A vice principal.

10 (3) An administrator who is responsible for the day-to-day  
11 operations of an attendance center.

12 *c.* "Teacher" means the same as defined in section 256.145.

13 *d.* "Violent disruption" includes but is not limited to  
14 a disruption to classroom instruction that is a result of a  
15 threat of violence or an incident of violence that results in  
16 any of the following:

17 (1) Injury.

18 (2) Property damage.

19 (3) Assault, as defined under section 708.1.

20 2. *a.* (1) A teacher may remove or cause to be removed a  
21 student who causes a nonviolent disruption from the teacher's  
22 classroom and place the student under the supervision of the  
23 principal of the attendance center in which the classroom is  
24 located, or the principal's designee, for at least thirty  
25 minutes, as determined by the principal or the principal's  
26 designee.

27 (2) (a) A student who is enrolled in kindergarten through  
28 grade five, and who was removed from the classroom pursuant  
29 to subparagraph (1), shall not be readmitted to the teacher's  
30 classroom until after the principal, or the principal's  
31 designee, and the teacher meet to discuss the readmission of  
32 the student.

33 (b) A student who is enrolled in grades six through twelve,  
34 and who was removed from the classroom pursuant to subparagraph  
35 (1), shall not be readmitted to the teacher's classroom until

1 after the principal, or the principal's designee, and the  
2 teacher meet to discuss the readmission of the student. Such  
3 student shall not be readmitted to the teacher's classroom  
4 until, at the earliest, the immediately subsequent school day.

5 (3) The principal, or the principal's designee, shall  
6 inform the teacher of the disciplinary actions taken against  
7 the student removed from the classroom pursuant to subparagraph  
8 (1) as soon as is reasonably possible after the student's  
9 removal.

10 (4) A student who is removed from the classroom pursuant to  
11 subparagraph (1) shall be required to make up any work that the  
12 student missed while the student was under the supervision of  
13 the principal or the principal's designee.

14 (5) If a student is removed from a teacher's classroom  
15 pursuant to subparagraph (1) more than once, the teacher or  
16 teachers who removed the student from the classroom; the  
17 principal of the attendance center in which the classroom  
18 or classrooms are located; a qualified guidance counselor  
19 licensed by the board of educational examiners under chapter  
20 256, subchapter VII, part 3; the student's parent or legal  
21 guardian, if the student is not an emancipated minor; and the  
22 student shall participate in a meeting to discuss the student's  
23 nonviolent disruptions and to establish a behavioral plan and  
24 a course of discipline to correct the student's behavior,  
25 which may include locating the student in an alternative  
26 learning environment, including a therapeutic classroom, when  
27 appropriate.

28 *b.* (1) A teacher shall remove or cause to be removed a  
29 student who causes a violent disruption from the teacher's  
30 classroom and place the student under the supervision of the  
31 principal of the attendance center in which the classroom is  
32 located, or the principal's designee.

33 (2) (a) A student who is enrolled in kindergarten through  
34 grade five, and who was removed from the classroom pursuant  
35 to subparagraph (1), shall not be readmitted to the teacher's

1 classroom until after the principal, or the principal's  
2 designee, and the teacher meet to discuss the readmission of  
3 the student.

4 (b) A student who is enrolled in grades six through twelve,  
5 and who was removed from the classroom pursuant to subparagraph  
6 (1), shall not be readmitted to the teacher's classroom until  
7 after the principal, or the principal's designee, and the  
8 teacher meet to discuss the readmission of the student. Such  
9 student shall not be readmitted to the teacher's classroom  
10 until, at the earliest, the immediately subsequent school day.

11 (c) Notwithstanding any policy adopted by the oversight  
12 review committee pursuant to subsection 4, paragraph "a", a  
13 student shall not be readmitted to a teacher's classroom if all  
14 of the following criteria are satisfied:

15 (i) The teacher removed the student from the teacher's  
16 classroom because the student caused a violent disruption that  
17 included the student assaulting the teacher.

18 (ii) The teacher does not consent to allowing the student to  
19 return to the teacher's classroom.

20 3. a. If the principal determines that disciplinary  
21 action should be taken against a student who was removed from  
22 a teacher's classroom pursuant to subsection 2, then the  
23 principal shall do all of the following:

24 (1) Take such disciplinary action.

25 (2) Provide written and, if possible, electronic notice of  
26 such disciplinary action to the student's parent or guardian.

27 b. (1) If a student was removed from a teacher's classroom  
28 pursuant to subsection 2 two or more times in a semester, or  
29 the trimester or quarter equivalent, then the principal shall  
30 discipline the student by doing any of the following:

31 (a) Assigning the student to either in-school or  
32 out-of-school suspension.

33 (b) Recommending to the superintendent that the student be  
34 located in an alternative learning environment that has been  
35 approved by the superintendent.

1 (2) If a student was removed from a teacher's classroom  
2 pursuant to subsection 2 because the student's conduct,  
3 statements, or other actions were severe or pervasive, and,  
4 if requested by the teacher, then the principal shall impose  
5 the maximum amount of punishment applicable to such conduct,  
6 statements, or other actions as provided in policies adopted  
7 by the board of directors of the school district, including  
8 placing the student in an alternative learning environment that  
9 has been approved by the superintendent.

10 4. a. The board of directors of a school district shall  
11 require each attendance center within the school district  
12 to create an oversight review committee that is responsible  
13 for developing a policy, consistent with this section, that  
14 establishes when a student who has been removed from the  
15 classroom pursuant to subsection 2 may be readmitted to the  
16 classroom.

17 b. The oversight review committee must consist of all of the  
18 following members:

19 (1) Two teachers who work in the attendance center and who  
20 must be selected by the teachers of the attendance center.

21 (2) One administrative employee, mental health  
22 professional, or behavioral interventionist who works in the  
23 attendance center and who must be selected by the principal of  
24 the attendance center.

25 c. The oversight review committee may issue recommendations  
26 related to when a student who was removed from a teacher's  
27 classroom pursuant to subsection 2, paragraph "a", subparagraph  
28 (1), should be readmitted to the teacher's classroom.

29 5. If a student who has an individualized education program  
30 was removed from a teacher's classroom pursuant to subsection  
31 2, then all of the following shall apply:

32 a. (1) All of the following individuals shall, if  
33 practicable, participate in the meeting of the student's  
34 individualized education program team that takes place  
35 immediately subsequent to the student's exclusion from the

1 classroom:

2 (a) The teacher who removed the student from the classroom  
3 pursuant to subsection 2.

4 (b) Any teacher who is not described in subparagraph  
5 division (a) and who provides classroom instruction to the  
6 student.

7 (c) Any other employee of the school district who does not  
8 hold a license issued by the board of educational examiners,  
9 including para-educators and bus drivers, and who was directly  
10 involved in the student's conduct, statements, or other actions  
11 that led to the student's exclusion from the classroom.

12 (2) If a teacher or other employee is not able to  
13 participate in the meeting of the student's individualized  
14 education program team that takes place immediately subsequent  
15 to the student's exclusion from the classroom, as required  
16 under subparagraph (1), then the teacher or other employee  
17 shall review the minutes or summary of the meeting prepared by  
18 the individualized education program team pursuant to paragraph  
19 "b", subparagraph (2), and shall provide written notice to the  
20 student's individualized education program team indicating that  
21 the teacher or other employee has read the minutes or summary.

22 b. (1) In the meeting of the student's individualized  
23 education program team that takes place immediately subsequent  
24 to the student's exclusion from the classroom, the student's  
25 individualized education program team shall discuss all of the  
26 following:

27 (a) The appropriateness of the student's current  
28 educational programming.

29 (b) Whether adjustments need to be made to the student's  
30 individualized education program to address the student's  
31 behaviors.

32 (c) Whether the student's current placement or an  
33 alternative learning environment would best provide the student  
34 with a free appropriate public education.

35 (d) The accommodations, modifications, and adaptations that

1 are required to allow the student to be successful in a general  
2 education setting, what supports are needed to assist the  
3 teacher and other school district employees in providing those  
4 accommodations, modifications, and adaptations, and whether it  
5 is possible for the school district to provide those supports,  
6 accommodations, modifications, and adaptations.

7 (e) Whether and to what extent the provision of special  
8 education services and activities in the general education  
9 environment will impact the student and the other students in  
10 the classroom.

11 (2) If a teacher or other employee is not able to  
12 participate in the meeting of the student's individualized  
13 education program team that takes place immediately subsequent  
14 to the student's exclusion from the classroom, as required  
15 under paragraph "a", subparagraph (1), then the student's  
16 individualized education program team shall prepare minutes or  
17 a summary of the meeting and provide the minutes or summary to  
18 the teacher or other employee.

19 c. If the student was removed from the classroom five or  
20 more times within any fifteen-consecutive-school-day period,  
21 then the student's individualized education program team shall  
22 meet to discuss the student's behavior.

23 6. A teacher may appeal all of the following to the board of  
24 directors of the school district:

25 a. A principal's refusal to allow the teacher to remove a  
26 student from the teacher's classroom pursuant to subsection 2.

27 b. A principal's readmission of a student to the teacher's  
28 classroom prior to the time such student should have been  
29 readmitted pursuant to subsection 2.

30 7. The board of directors of a school district shall  
31 immediately grant a teacher a leave of absence for physical  
32 recovery with full pay for not more than three days if the  
33 teacher is injured due to a student's violent disruption;  
34 provided, however, that the board of directors of a school  
35 district may grant a teacher such a leave of absence for four

1 or more days if the teacher provides to the board of directors  
2 of the school district a note from a physician indicating that  
3 such a leave of absence is needed.

4 8. *a.* Each principal of an attendance center shall make a  
5 mental health professional, guidance counselor, or behavioral  
6 interventionist available to students, teachers, and other  
7 school employees to address the immediate trauma associated  
8 with a violent disruption or nonviolent disruption, upon the  
9 request of a teacher.

10 *b.* Notwithstanding paragraph "*a*", a mental health  
11 professional, guidance counselor, or behavioral interventionist  
12 shall not provide any mental health services to a student who  
13 is less than eighteen years of age to address the immediate  
14 trauma associated with a violent disruption or nonviolent  
15 disruption unless the student's parent or guardian consents to  
16 the student receiving such mental health services, or unless  
17 the student is an emancipated minor.

18 9. Each principal shall carry out the principal's  
19 responsibilities under this section in an expeditious manner,  
20 and shall do all of the following in an expeditious manner:

21 *a.* Carry out all manifestation determination review  
22 meetings, as required under section 504 of the federal  
23 Rehabilitation Act, 29 U.S.C. §794.

24 *b.* Impose the appropriate amount of punishment in accordance  
25 with policies adopted by the board of directors of the school  
26 district and federal law.

27 *c.* Perform functional behavior assessments as needed.

28 *d.* Adjust behavioral intervention plans as needed.

29 10. This section shall not be construed to do any of the  
30 following:

31 *a.* Infringe on any right provided to any student under  
32 federal law, including but not limited to all of the following:

33 (1) Section 504 of the federal Rehabilitation Act, 29 U.S.C.  
34 §794.

35 (2) The federal Individuals with Disabilities Education

1 Act, 20 U.S.C. §1400 et seq.

2 (3) The federal Family Educational Rights and Privacy Act,  
3 20 U.S.C. §1232g.

4 (4) The federal Americans with Disabilities Act of 1990, 42  
5 U.S.C. §12101 et seq.

6 *b.* Supersede, abrogate, or preempt any federal law, rule,  
7 or regulation.

8 *c.* Relieve any person from any duties, obligations, or  
9 requirements imposed by federal law.

10 Sec. 8. NEW SECTION. **279.89 Teacher authority to request a**  
11 **meeting of a student's individualized education program team.**

12 1. For purposes of this section:

13 *a.* "Administrator" means the same as defined in section  
14 256.145.

15 *b.* "Teacher" means the same as defined in section 256.145.

16 2. A teacher may request a meeting of a student's  
17 individualized education program team at any time by submitting  
18 an electronic or written request to an administrator.

19 3. An administrator may deny a teacher's request for a  
20 meeting of a student's individualized education program team  
21 submitted pursuant to subsection 2; provided, however, that  
22 such a denial must satisfy all of the following requirements:

23 *a.* Be provided to the teacher in writing.

24 *b.* Describe why applicable federal law does not require the  
25 meeting of the student's individualized education program team.

26 Sec. 9. NEW SECTION. **279.90 Individualized education**  
27 **programs and section 504 plan requirements.**

28 1. *a.* The board of directors of each school district shall  
29 ensure all of the following:

30 (1) That each student's individualized education program  
31 is accessible to, and read by, each school district employee  
32 who is responsible for the implementation of the student's  
33 individualized education program, including regular education  
34 teachers, special education teachers, and any other service  
35 providers.

1 (2) Each teacher and service provider described in  
2 subparagraph (1) is informed of all of the following:

3 (a) The teacher's or service provider's specific  
4 responsibilities related to implementing the student's  
5 individualized education program.

6 (b) The specific accommodations, modifications, and  
7 supports that must be provided for the student in accordance  
8 with the student's individualized education program.

9 b. After a regular education teacher has read a student's  
10 individualized education program pursuant to paragraph "a",  
11 the regular education teacher shall provide written notice  
12 to the special education teacher who is on the student's  
13 individualized education program team indicating that the  
14 regular education teacher has read the individualized education  
15 program.

16 2. Each teacher employed by the school district who teaches  
17 a student who has a plan under section 504 of the federal  
18 Rehabilitation Act, 29 U.S.C. §794, shall read the plan. After  
19 the teacher has read the plan, the teacher shall provide  
20 written notice to any special education teacher who provides  
21 special education services to the student, or to the principal  
22 of the attendance center, indicating that the teacher has read  
23 the plan.

24 3. At least one para-educator or other employee of the  
25 school district who assists a teacher in providing classroom  
26 instruction to a student who has an individualized education  
27 program, or to a student who has a plan under section 504 of  
28 the federal Rehabilitation Act, 29 U.S.C. §794, shall attend  
29 all meetings related to the student's individualized education  
30 program or plan under section 504 of the federal Rehabilitation  
31 Act, 29 U.S.C. §794. If practicable, meetings related to  
32 a student's individualized education program or plan under  
33 section 504 of the federal Rehabilitation Act, 29 U.S.C. §794,  
34 that a para-educator or other employee is required to attend  
35 pursuant to this subsection shall take place during normal

1 business hours.

2 4. The board of directors of each school district shall  
3 provide training to all members of a student's individualized  
4 education program team related to the least restrictive  
5 environment requirements under the federal Individuals with  
6 Disabilities Education Act, 20 U.S.C. §1400 et seq., that  
7 is based on the training program and training materials  
8 distributed by the director of the department of education to  
9 the school district pursuant to section 256.9, subsection 80.

10 Sec. 10. Section 284.6, subsection 3, Code 2026, is amended  
11 to read as follows:

12 3. A school district shall develop a district professional  
13 development plan. The district professional development plan  
14 ~~shall include~~ must satisfy all of the following requirements:

15 a. Include a description of the means by which the school  
16 district will provide access to all teachers in the district to  
17 professional development programs or offerings that meet the  
18 requirements of subsection 1. ~~The plan shall align~~

19 b. Align all professional development with the school  
20 district's long-range student learning goals and the Iowa  
21 teaching standards. ~~The plan shall indicate~~

22 c. Indicate the school district's approved professional  
23 development provider or providers.

24 d. Include programs and offerings for all teachers to  
25 support serving students with disabilities.

26 e. Include information related to all of the following:

27 (1) The general requirements related to providing a free  
28 appropriate public education, including the school district's  
29 obligation to identify and evaluate a student who may have a  
30 disability.

31 (2) The provision of supports and services through  
32 a student's individualized education program, including  
33 each individual teacher's responsibilities relating to the  
34 development and implementation of a student's individualized  
35 education program.

1     (3) The general requirements related to providing education  
2 to a student with a disability consistent with the least  
3 restrictive environment requirements under the federal  
4 Individuals with Disabilities Education Act, 20 U.S.C. §1400  
5 et seq.

6     Sec. 11. STATE MANDATE FUNDING SPECIFIED. In accordance  
7 with section 25B.2, subsection 3, the state cost of requiring  
8 compliance with any state mandate included in this Act shall  
9 be paid by a school district from state school foundation aid  
10 received by the school district under section 257.16. This  
11 specification of the payment of the state cost shall be deemed  
12 to meet all of the state funding-related requirements of  
13 section 25B.2, subsection 3, and no additional state funding  
14 shall be necessary for the full implementation of this Act  
15 by and enforcement of this Act against all affected school  
16 districts.>

17     2. Title page, by striking lines 1 through 3 and inserting  
18 <An Act relating to education, including by modifying  
19 provisions related to the duties of the department of  
20 education; the discipline of students enrolled in school  
21 districts, charter schools, and innovation zone schools who  
22 cause violent or nonviolent disruptions; the responsibilities  
23 and powers of the department of education, school district  
24 teachers, and other educational staff related to students  
25 who have individualized education programs or plans under  
26 section 504 of the federal Rehabilitation Act; school district  
27 professional development plans; and authorizing teachers to  
28 request a meeting of a student's individualized education  
29 program team.>

---

WHEELER of Sioux