

**EIGHTY-FIFTH GENERAL ASSEMBLY
2014 REGULAR SESSION
DAILY
HOUSE CLIP SHEET**

MARCH 3, 2014

HOUSE FILE 2409

H-8050

1 Amend House File 2409 as follows:

2 1. Page 2, by striking lines 5 through 11 and
3 inserting:

4 <d. Have access to and analyze response data from
5 the Iowa youth survey conducted by the department of
6 public health. The department may use its analysis to
7 provide technical assistance to districts regarding
8 their data outcomes.>

9 2. Page 3, after line 23 by inserting:

10 <Sec. _____. Section 280.28, subsection 3, unnumbered
11 paragraph 1, Code 2014, is amended to read as follows:

12 On or before September 1, 2007, the board of
13 directors of a school district ~~and the authorities in~~
14 ~~charge of each accredited nonpublic school~~ shall adopt
15 a policy declaring harassment and bullying in schools,
16 on school property, and at any school function, or
17 school-sponsored activity regardless of its location,
18 in a manner consistent with this section, as against
19 state and school policy. The board ~~and the authorities~~
20 shall make a copy of the policy available to all
21 school employees, volunteers, students, and parents
22 or guardians and shall take all appropriate steps to
23 bring the policy against harassment and bullying and
24 the responsibilities set forth in the policy to the
25 attention of school employees, volunteers, students,
26 and parents or guardians. Each policy shall, at a
27 minimum, include all of the following components:>

28 3. Page 3, after line 34 by inserting:

29 <Sec. _____. Section 280.28, subsection 4, unnumbered
30 paragraph 1, Code 2014, is amended to read as follows:

31 The board of directors of a school district ~~and the~~
32 ~~authorities in charge of each accredited nonpublic~~
33 ~~school are~~ is encouraged to establish programs designed
34 to eliminate harassment and bullying in schools. To
35 the extent that funds are available for these purposes,
36 school districts ~~and accredited nonpublic schools~~ shall
37 do the following:

38 Sec. _____. Section 280.28, subsections 5 and 6, Code
39 2014, are amended to read as follows:

40 5. Immunity. A school employee, volunteer,
41 or student, or a student's parent or guardian who
42 promptly, reasonably, and in good faith reports an
43 incident of harassment or bullying, in compliance with
44 the procedures in the policy adopted pursuant to this
45 section, to the appropriate school official designated
46 by the school district ~~or accredited nonpublic school~~,
47 shall be immune from civil or criminal liability
48 relating to such report and to participation in any
49 administrative or judicial proceeding resulting from
50 or relating to the report.

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1 6. Collection requirement. The board of directors
2 of a school district ~~and the authorities in charge~~
3 ~~of each nonpublic school~~ shall develop and maintain a
4 system to collect harassment and bullying incidence
5 data.>

6 4. Page 4, lines 3 and 4, by striking <and the
7 authorities in charge of each nonpublic school> and
8 inserting <~~and the authorities in charge of each~~
9 ~~nonpublic school~~>

10 5. Page 4, after line 34 by inserting:
11 <NEW SUBSECTION. 11. Inapplicability. This
12 section does not apply to nonpublic schools or private
13 instruction as defined in section 299A.1.>

14 6. By renumbering as necessary.

By ALONS of Sioux	HEARTSILL of Marion
SALMON of Black Hawk	SCHULTZ of Crawford
WATTS of Dallas	GASSMAN of Winnebago
FISHER of Tama	SHAW of Pocahontas
SHEETS of Appanoose	MAXWELL of Poweshiek

H-8050 FILED FEBRUARY 28, 2014

HOUSE FILE 2409

H-8051

1 Amend House File 2409 as follows:

2 1. Page 2, line 18, by striking <response> and
3 inserting <response, to the extent such training is
4 made available by the state of Iowa at no charge to
5 trainees, schools, or school districts>

6 2. Page 2, line 25, by striking <bullying> and
7 inserting <bullying, to the extent such training is
8 made available by the state of Iowa at no charge to
9 trainees, schools, or school districts>

10 3. By renumbering as necessary.

By SCHULTZ of Crawford	FISHER of Tama
SALMON of Black Hawk	WATTS of Dallas
ALONS of Sioux	GASSMAN of Winnebago
HEARTSILL of Marion	SHAW of Pocahontas
SHEETS of Appanoose	MAXWELL of Poweshiek

H-8051 FILED FEBRUARY 28, 2014

HOUSE FILE 2409

H-8052

1 Amend House File 2409 as follows:

2 1. Page 3, by striking lines 12 through 23 and
3 inserting <trait or characteristic of the student
4 ~~and or any other reason,~~ which creates an objectively
5 hostile school environment ~~that,~~ and which meets one or
6 more of the following conditions:

7 (1) ~~Places the student in reasonable fear of harm~~
8 ~~to the student's person or property~~ Is lewd, indecent,
9 or obscene.

10 (2) ~~Has a substantially detrimental effect on~~
11 ~~the student's physical or mental health~~ Is a severe,
12 persistent, or pervasive use of threatening acts,
13 words, or conduct that objectively inflicts injury on
14 the student.

15 (3) ~~Has the effect of substantially interfering~~
16 ~~with a student's academic performance~~ Is intended to
17 threaten imminent physical harm to the student.

18 (4) ~~Has the effect of substantially interfering~~
19 ~~with the student's ability to participate in or benefit~~
20 ~~from the services, activities, or privileges provided~~
21 ~~by a school~~ Is intended to incite an immediate breach
22 of the peace.

23 (5) Causes a substantial and material disruption
24 of the school environment.>

25 2. Page 4, line 30, by striking <that> and
26 inserting <and>

27 3. By renumbering as necessary.

By GASSMAN of Winnebago	HEARTSILL of Marion
SALMON of Black Hawk	WATTS of Dallas
ALONS of Sioux	FISHER of Tama
SCHULTZ of Crawford	SHAW of Pocahontas
SHEETS of Appanoose	MAXWELL of Poweshiek

H-8052 FILED FEBRUARY 28, 2014

HOUSE FILE 2409

H-8053

1 Amend House File 2409 as follows:

2 1. Page 3, after line 34 by inserting:

3 <Sec. _____. Section 280.28, subsection 6, Code 2014,
4 is amended by striking the subsection.>

5 2. Page 4, by striking lines 2 through 15 and
6 inserting:

7 <7. Integration of policy ~~and reporting~~. The board
8 of directors of a school district and the authorities
9 in charge of each nonpublic school shall integrate
10 its antiharassment and antibullying policy into the
11 comprehensive school improvement plan required under
12 section 256.7, subsection 21, ~~and shall report data~~
13 ~~collected under subsection 6, as specified by the~~
14 ~~department, to the local community.~~>

15 3. By renumbering as necessary.

By ALONS of Sioux	SCHULTZ of Crawford
SALMON of Black Hawk	GASSMAN of Winnebago
WATTS of Dallas	FISHER of Tama
SHEETS of Appanoose	SHAW of Pocahontas
HEARTSILL of Marion	MAXWELL of Poweshiek

H-8053 FILED FEBRUARY 28, 2014

HOUSE FILE 2409

H-8054

1 Amend House File 2409 as follows:

2 1. Page 4, by striking lines 17 through 32 and
3 inserting <following new subsection:

4 NEW SUBSECTION. 9. Rulemaking authority. The
5 department>

6 2. By renumbering as necessary.

By WATTS of Dallas	SHEETS of Appanoose
SALMON of Black Hawk	GASSMAN of Winnebago
ALONS of Sioux	SCHULTZ of Crawford
FISHER of Tama	SHAW of Pocahontas
HEARTSILL of Marion	MAXWELL of Poweshiek

H-8054 FILED FEBRUARY 28, 2014

HOUSE FILE 2409

H-8055

1 Amend House File 2409 as follows:

2 1. Page 4, after line 34 by inserting:

3 <NEW SUBSECTION. 11. Rule of construction. This
4 section shall not be construed to permit the restraint
5 of or discipline for speech addressing legitimate
6 matters of public concern, including speech that is an
7 expression of a religious belief, philosophical belief,
8 or political belief, or other categories of expression
9 protected by the United States and Iowa Constitutions.>

10 2. By renumbering as necessary.

By SHEETS of Appanoose	FISHER of Tama
SALMON of Black Hawk	GASSMAN of Winnebago
ALONS of Sioux	SCHULTZ of Crawford
HEARTSILL of Marion	SHAW of Pocahontas
WATTS of Dallas	MAXWELL of Poweshiek

H-8055 FILED FEBRUARY 28, 2014

HOUSE FILE 2409

H-8056

1 Amend House File 2409 as follows:

2 1. Page 3, after line 34 by inserting:

3 <Sec. ____ . Section 280.28, subsection 5, Code 2014,
4 is amended to read as follows:

5 5. Immunity. a. A school employee, volunteer,
6 or student, or a student's parent or guardian who
7 promptly, reasonably, and in good faith reports an
8 incident of harassment or bullying, in compliance with
9 the procedures in the policy adopted pursuant to this
10 section, to the appropriate school official designated
11 by the school district or accredited nonpublic school,
12 shall be immune from civil or criminal liability
13 relating to such report and to participation in any
14 administrative or judicial proceeding resulting from
15 or relating to the report.

16 b. A school employee who determines not to
17 investigate or take further action regarding a report
18 of an alleged incident of harassment or bullying that
19 occurred outside of school, off of school property,
20 or away from a school function or school-sponsored
21 activity shall be immune from civil or criminal
22 liability relating to such determination.>

23 2. By renumbering as necessary.

By SALMON of Black Hawk	HEARTSILL of Marion
ALONS of Sioux	SCHULTZ of Crawford
WATTS of Dallas	GASSMAN of Winnebago
FISHER of Tama	SHAW of Pocahontas
SHEETS of Appanoose	MAXWELL of Poweshiek

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