

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

MARCH 5, 2014

HOUSE FILE 2380

H-8073

1 Amend House File 2380 as follows:

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

4 <Section 1. Section 237A.13, subsection 7,
5 paragraphs a and c, Code 2014, are amended to read as
6 follows:

7 a. Families with an income at or below one hundred
8 percent of the federal poverty level whose members ~~are~~
9 ~~employed, for at least twenty-eight hours per week in~~
10 the aggregate, are employed or are participating at a
11 satisfactory level in an approved training program or
12 educational program, and parents with a family income
13 at or below one hundred percent of the federal poverty
14 level who are under the age of twenty-one years and are
15 participating in an educational program leading to a
16 high school diploma or the equivalent.

17 c. Families with an income of more than one hundred
18 percent but not more than one hundred forty-five
19 percent of the federal poverty level whose members ~~are~~
20 ~~employed, for at least twenty-eight hours per week in~~
21 the aggregate, are employed or are participating at a
22 satisfactory level in an approved training program or
23 educational program.

24 Sec. 2. Section 237A.13, subsection 8, Code 2014,
25 is amended to read as follows:

26 8. Nothing in this section shall be construed
27 as or is intended as, or shall imply, a grant of
28 entitlement for services to persons who are eligible
29 for assistance due to an income level or other
30 eligibility circumstance addressed in this section.
31 Any state obligation to provide services pursuant to
32 this section is limited to the extent of the funds
33 appropriated for the purposes of state child care
34 assistance. The department shall not redetermine the
35 eligibility of a program participant more frequently
36 than every twelve months.

37 Sec. 3. STATE CHILD CARE ASSISTANCE APPLICATIONS ----
38 MOBILE DEVICES.

39 1. The department of human services shall review
40 the application form and other elements of the process
41 used by applicants to apply for the state child care
42 assistance program. The purpose of the review is to
43 simplify the process by eliminating requirements to
44 provide unneeded or redundant information and improving
45 the wording of the application, and identifying other
46 options for improvement. The department shall report
47 the results of the review to the governor and general
48 assembly on or before December 1, 2014.

49 2. The department shall implement an application
50 process enhancement so that applicants for the state

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1 child care assistance program may apply for the program
2 using a mobile information technology device.

3 Sec. 4. IMPLEMENTATION. The department of human
4 services shall adopt rules and take other actions as
5 necessary to implement, as state child care assistance
6 program eligibility provisions, the amendments to
7 section 237A.13 in this Act, on July 1, 2014.>

8 2. Title page, line 1, by striking <providing for
9 a> and inserting <relating to the>

10 3. Title page, line 2, by striking <pilot project>
11 and inserting <and application provisions>

By STUTSMAN of Johnson

H-8073 FILED MARCH 4, 2014

Senate Amendment to
HOUSE FILE 2067

H-8071

1 Amend House File 2067, as passed by the House, as
2 follows:

3 1. Page 1, after line 8 by inserting:

4 <Sec. ____ . EFFECTIVE UPON ENACTMENT. This Act,
5 being deemed of immediate importance, takes effect upon
6 enactment.>

7 2. Title page, line 2, after <licenses> by
8 inserting <, and including effective date provisions>

9 3. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-8071 FILED MARCH 4, 2014

HOUSE FILE 2279

H-8074

- 1 Amend House File 2279 as follows:
- 2 1. Page 1, before line 1 by inserting:
- 3 <Section 1. Section 232.19, subsection 1, Code
- 4 2014, is amended by adding the following new paragraph:
- 5 NEW PARAGRAPH. e. By a peace officer pursuant to
- 6 section 664A.6.
- 7 Sec. _____. NEW SECTION. 236.14 Initial appearance.
- 8 Notwithstanding chapters 804 and 805, a person taken
- 9 into custody pursuant to section 236.11 or arrested
- 10 pursuant to section 236.12 may be released on bail or
- 11 otherwise only after an initial appearance before a
- 12 magistrate as provided in chapter 804 and the rules
- 13 of criminal procedure or section 236.11, whichever is
- 14 applicable.>
- 15 2. Page 3, line 1, after <magistrate> by inserting
- 16 <or juvenile court>
- 17 3. Page 3, line 9, by striking <Mandatory arrest>
- 18 and inserting <Mandatory arrest Taking into custody>
- 19 4. Page 3, line 11, after <1.> by inserting <a.>
- 20 5. Page 3, after line 21 by inserting:
- 21 <b. If a peace officer has probable cause to
- 22 believe that a person under the age of eighteen has
- 23 violated a protective order, the peace officer may take
- 24 the person into custody and may take the person without
- 25 unnecessary delay before the nearest or most accessible
- 26 juvenile court in the judicial district in which the
- 27 person was taken into custody.>
- 28 6. Page 4, line 6, by striking <the initial
- 29 appearance> and inserting <the person is taken into
- 30 custody>
- 31 7. By renumbering as necessary.

By HEARTSILL of Marion

H-8074 FILED MARCH 4, 2014

Senate Amendment to
HOUSE FILE 2297

H-8072

- 1 Amend House File 2297, as passed by the House, as
- 2 follows:
- 3 1. Page 1, line 14, by striking <benefit> and
- 4 inserting <benefits>
- 5 2. Title page, line 1, by striking <benefit> and
- 6 inserting <benefits>

RECEIVED FROM THE SENATE

H-8072 FILED MARCH 4, 2014

HOUSE FILE 2361

H-8069

1 Amend [House File 2361](#) as follows:
2 1. Page 23, after line 16 by inserting:
3 <Sec. _____. Section 315.3, subsection 1, Code 2014,
4 is amended by adding the following new paragraph:
5 NEW PARAGRAPH. g. Improving or maintaining highway
6 access to residential housing developments.
7 Sec. _____. Section 315.11, Code 2014, is amended by
8 adding the following new subsection:
9 NEW SUBSECTION. 8. If the project provides access
10 to a residential housing development, the extent to
11 which the affected housing development supports the
12 growth of existing businesses and the attraction of new
13 businesses in the surrounding area.>
14 2. By renumbering as necessary.

By THOMAS of Clayton

H-8069 FILED MARCH 4, 2014

HOUSE FILE 2361

H-8076

1 Amend [House File 2361](#) as follows:
2 1. Page 24, by striking lines 3 through 22.
3 2. By renumbering as necessary.

By STUTSMAN of Johnson

H-8076 FILED MARCH 4, 2014

HOUSE FILE 2368

H-8068

1 Amend the amendment, [H-8064](#), to [House File 2368](#), as
2 follows:
3 1. Page 1, after line 10 by inserting:
4 <Sec. _____. Section 714G.1, subsection 3, Code 2014,
5 is amended by adding the following new paragraph:
6 NEW PARAGRAPH. d. A company that maintains a
7 database or file that consists of any of the following
8 information which is used for purposes unrelated to the
9 granting of credit:
10 (1) Criminal history information.
11 (2) Information relating to employment, rental
12 history, or a background check.>
13 2. Page 2, by striking line 43 and inserting <the
14 protected consumer, and proof of the identity of the
15 representative.>
16 3. Page 3, by striking line 39 and inserting
17 <consumer, proof of the identity of the representative,
18 and sufficient>
19 4. Page 4, line 31, after <Act> by inserting
20 <modifying security freeze provisions and>
21 5. By renumbering as necessary.

By KLEIN of Washington

H-8068 FILED MARCH 4, 2014

HOUSE FILE 2388

H-8075

1 Amend House File 2388 as follows:

2 1. Page 1, line 3, by striking <shall> and
3 inserting <is encouraged to>

4 2. Page 1, line 26, by striking <liaison> and
5 inserting <liaison, if the area education agency has
6 employed such a liaison>

7 3. Page 2, lines 2 and 3, by striking <two point on
8 a four-point scale> and inserting <passing grade>

9 4. Page 2, by striking lines 9 and 10 and inserting
10 <to section 279.68 shall be provided if appropriate.>

By FRY of Clarke

H-8075 FILED MARCH 4, 2014

HOUSE FILE 2409

H-8067

1 Amend House File 2409 as follows:

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

3 <Sec. _____. NEW SECTION. 2.34 Harassment and
4 bullying prohibited -- policy.

5 1. Definitions. For purposes of this section,
6 unless the context otherwise requires:

7 a. "Electronic" means any communication involving
8 the transmission of information by wire, radio,
9 optical cable, electromagnetic, or other similar
10 means. "Electronic" includes but is not limited to
11 communication via electronic mail, internet-based
12 communications including social networking sites, pager
13 service, cell phones, electronic text messaging, or any
14 other electronic communication site, device, or means.

15 b. "Harassment" and "bullying" shall be construed to
16 mean any electronic, written, verbal, or physical act
17 or conduct toward a member which is based on any actual
18 or perceived trait or characteristic of the member
19 or any other reason and which creates an objectively
20 hostile environment that meets one or more of the
21 following conditions:

22 (1) Places the member in reasonable fear of harm to
23 the member's person or property.

24 (2) Has a substantially detrimental effect on the
25 member's physical or mental health.

26 (3) Has the effect of substantially interfering
27 with a member's performance in the general assembly.

28 (4) Has the effect of substantially interfering
29 with the member's ability to participate in or benefit
30 from the services, activities, or privileges provided
31 by the general assembly.

32 c. "Member" means a member of the general assembly.

33 d. "Trait or characteristic of the member" includes
34 but is not limited to age, color, creed, national
35 origin, race, religion, marital status, sex, sexual
36 orientation, gender identity, physical attributes,
37 physical or mental ability or disability, ancestry,
38 political party preference, political belief,
39 socioeconomic status, or familial status.

40 2. Policy. On or before January 1, 2015, the
41 legislative council shall adopt a policy prohibiting
42 harassment and bullying in the general assembly, in
43 the capitol building and capitol grounds, and at any
44 legislative function or activity regardless of its
45 location. The legislative council shall make a copy
46 of the policy available to all members, officers,
47 and employees of the general assembly and shall take
48 all appropriate steps to bring the policy against
49 harassment and bullying and the responsibilities
50 set forth in the policy to the attention of members,

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1 officers, and employees of the general assembly.

2 The policy shall, at a minimum, include all of the
3 following components:

4 a. A statement declaring harassment and bullying to
5 be against state policy. The statement shall include
6 but not be limited to the following provisions:

7 (1) Members, officers, and employees of the general
8 assembly shall not engage in harassing and bullying
9 behavior in the general assembly, in the capitol
10 building and capitol grounds, or at any legislative
11 function or activity.

12 (2) Members, officers, and employees of the general
13 assembly shall not engage in reprisal, retaliation,
14 or false accusation against a victim, witness, or an
15 individual who has reliable information about such an
16 act of harassment or bullying.

17 b. A definition of harassment and bullying as set
18 forth in this section.

19 c. A description of the type of behavior expected
20 from members, officers, and employees of the general
21 assembly relative to prevention measures, reporting,
22 and investigation of harassment or bullying.

23 d. The consequences and appropriate remedial action
24 for a person who violates the antiharassment and
25 antibullying policy.

26 e. A procedure for reporting an act of harassment
27 or bullying, including the identification by job title
28 of the official responsible for ensuring that the
29 policy is implemented, and the identification of the
30 person or persons responsible for receiving reports of
31 harassment or bullying.

32 f. A procedure for the prompt investigation
33 of complaints, either identifying the individual
34 responsible for conducting the investigation, including
35 a statement that investigators will consider the
36 totality of circumstances presented in determining
37 whether conduct objectively constitutes harassment or
38 bullying under this section.

39 g. A statement of the manner in which the policy
40 will be publicized.

41 h. A procedure for documenting the actions taken
42 by the general assembly to investigate and respond to
43 harassment or bullying.

44 3. Programs encouraged. The legislative council is
45 encouraged to establish programs designed to eliminate
46 harassment and bullying in the general assembly. To
47 the extent that funds are available for these purposes,
48 the legislative council shall do the following:

49 a. Provide training on antiharassment and
50 antibullying policies to members, officers, and

1 employees of the general assembly.

2 b. Develop a process to provide members, officers,
3 and employees of the general assembly with the skills
4 and knowledge to help reduce incidents of harassment
5 and bullying.

6 4. Authority off capitol grounds. The legislative
7 council may investigate and impose discipline or take
8 other action in the case of an alleged incident of
9 harassment or bullying, including cyberbullying, that
10 occurs outside of the general assembly, the capitol
11 building and capitol grounds, or any legislative
12 function or activity if all of the following apply:

13 a. A member, officer, or employee of the general
14 assembly or a constituent reports an incident of
15 harassment or bullying pursuant to the general
16 assembly's policy adopted under subsection 2, paragraph
17 "e".

18 b. The alleged incident of harassment or bullying
19 has an effect on the capitol grounds that creates an
20 objectively hostile environment that meets one or more
21 of the conditions set out under subsection 1, paragraph
22 "b".>

23 2. Title page, line 2, by striking <policies>
24 and inserting <policies, providing for a legislative
25 antiharassment and antibullying policy,>

26 3. By renumbering as necessary.

By SCHULTZ of Crawford

HOUSE FILE 2409

H-8070

1 Amend House File 2409 as follows:

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

3 <Sec. _____. LEGISLATIVE FINDINGS AND

4 DECLARATION. The general assembly finds and declares

5 all of the following:

6 1. Article IX, 2nd, section 3, of the Constitution
7 of the State of Iowa states, in part:

8 The general assembly shall encourage, by all
9 suitable means, the promotion of intellectual,
10 scientific, moral, and agricultural improvement.

11 2. The leading moral precept for a civil society
12 has been expressed by various philosophies and
13 religions for millennia and is often called the
14 golden rule, as set forth in paragraphs "a" through
15 "g". The golden rule, with roots in a wide range
16 of world cultures, is well suited to be a standard
17 that different cultures can ascribe to in resolving
18 conflicts, and shall be displayed in all classrooms in
19 Iowa.

20 a. Confucianism, circa 557 BC, Analects 15:23:

21 What you do not want done to yourself, do not do to
22 others.

23 b. Buddhism, circa 560 BC, Udanavarga 5:18:

24 Hurt not others with that which pains yourself.

25 c. Judaism, circa 1300 BC, the Old Testament,
26 Leviticus 19:18:

27 Thou shalt Love thy neighbor as thyself.

28 d. Hinduism, circa 3200 BC, Hitopadesa:

29 One should always treat others as they themselves
30 wish to be treated.

31 e. Zoroastrianism, circa 600 BC, Shast-na-shayast
32 13:29:

33 Whatever is disagreeable to yourself, do not do unto
34 others.

35 f. Christianity, circa 30 AD, the King James Bible,
36 Matthew 7:12:

37 Whatsoever ye would that others should do to you, do
38 ye even so to them.

39 g. Islam, circa 570-632 AD, the Prophet Muhammad,
40 pbuh, Sahih Muslim:

41 None of you have faith until you love for your
42 neighbor what you love for yourself.>

43 2. By renumbering as necessary.

By SHEETS of Appanoose
HEARTSILL of Marion
SALMON of Black Hawk

H-8070 FILED MARCH 4, 2014

HOUSE FILE 2409

H-8077

1 Amend House File 2409 as follows:
2 1. Page 2, after line 11 by inserting:
3 <____. Review school district and school
4 antiharassment and antibullying policies to ensure that
5 such policies are effective and consistent with the
6 requirements of section 280.28.>
7 2. Page 2, line 17, by striking <training> and
8 inserting <a systemic, research-based training program>
9 3. Page 2, line 20, by striking <training> and
10 inserting <a systemic, research-based training program>
11 4. Page 3, after line 34 by inserting:
12 <NEW PARAGRAPH. _____. An appeal process for
13 students accused of violating the school district or
14 school antiharassment and antibullying policy whereby a
15 determination will be made whether an accused student
16 engaged in such a violation.
17 NEW PARAGRAPH. _____. A procedure for a school
18 counselor to be made available to meet the needs of all
19 students directly involved in a reported incident of
20 harassment or bullying.>
21 5. By renumbering, redesignating, and correcting
22 internal references as necessary.

By WINCKLER of Scott

H-8077 FILED MARCH 4, 2014

HOUSE FILE 2409

H-8078

1 Amend House File 2409 as follows:
2 1. Page 4, by striking lines 19 through 28 and
3 inserting <official or designee may investigate and
4 respond appropriately to an ongoing alleged incident
5 of harassment or bullying, including cyberbullying,
6 that occurs outside of school, off of school property,
7 or away from a school function or school-sponsored
8 activity if the alleged incident of harassment or
9 bullying has an>

By WOOD of Scott
HUNTER of Polk

H-8078 FILED MARCH 4, 2014

HOUSE FILE 2409

H-8079

1 Amend the amendment, H-8051, to House File 2409, as
2 follows:

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

4 <____. Page 4, after line 34 by inserting:

5 <Sec. _____. APPROPRIATIONS. There is appropriated
6 from the general fund of the state to the department
7 of education for the fiscal year beginning July 1,
8 2013, and ending June 30, 2014, the following amount,
9 or so much thereof as is necessary, to be used for the
10 purposes designated:

11 For carrying out the duties provided in section
12 256.100, as enacted in this Act, including salaries,
13 support, maintenance, and for not more than the
14 following full-time equivalent positions:

15	\$	250,000
16	FTEs	3.00

17 From the moneys appropriated to the department,
18 \$150,000 shall be used to provide or facilitate the
19 provision of training required by section 272.2,
20 subsection 19, as enacted in this Act, at minimal cost
21 to the trainee.

22 Notwithstanding section 8.33, moneys appropriated in
23 this section that remain unencumbered or unobligated
24 at the close of the fiscal year shall not revert but
25 shall remain available for expenditure for the purposes
26 designated until the close of the succeeding fiscal
27 year.

28 Sec. _____. EFFECTIVE UPON ENACTMENT. The following
29 provision or provisions of this Act, being deemed of
30 immediate importance, take effect upon enactment:

31 1. The section of this Act enacting section
32 256.100.

33 2. The section of this Act making appropriations to
34 the department of education.>

35 _____. Title page, line 3, by striking <prevention>
36 and inserting <prevention, making an appropriation, and
37 including effective date provisions>>

38 2. By renumbering, redesignating, and correcting
39 internal references as necessary.

By HUNTER of Polk

HOUSE FILE 2409

H-8080

1 Amend House File 2409 as follows:

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

4 <Section 1. Section 135.11, subsection 30, Code
5 2014, is amended by striking the subsection.

6 Sec. 2. Section 256.2, Code 2014, is amended by
7 adding the following new subsection:

8 NEW SUBSECTION. 2A. "Harassment" and "bullying"
9 mean the same as defined in section 280.28.

10 Sec. 3. 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. 4. Section 256.9, Code 2014, is amended by
20 adding the following new subsection:

21 NEW SUBSECTION. 65. Submit to the general assembly
22 annually by January 1, a report on harassment and
23 bullying in schools in this state. The report shall
24 include harassment and bullying incidence data reported
25 by school districts and accredited nonpublic schools
26 pursuant to section 280.28, subsection 7, including the
27 number of founded and unfounded reports of harassment
28 or bullying per school district and accredited
29 nonpublic school; relevant response data from the
30 Iowa youth survey; outcome data for the school climate
31 improvement grant program established by section
32 256.101; and any recommendations relating to harassment
33 and bullying prevention in this state. The department
34 shall publish the report on the department's internet
35 site.

36 Sec. 5. NEW SECTION. 256.100 Office of support and
37 analysis for safe schools.

38 1. The office of support and analysis for safe
39 schools is established in the department to coordinate
40 and implement the state's efforts to prevent and
41 respond to harassment and bullying.

42 2. The office shall coordinate efforts between
43 state agencies and promote research-based best
44 practices for programming and training in the
45 prevention of and response to harassment and bullying.
46 The office may enter into chapter 28E agreements with
47 the board of educational examiners, department of human
48 rights, the civil rights commission, postsecondary
49 educational institutions, and other public agencies
50 for the joint employment of personnel to carry out its

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1 duties. The office shall coordinate with appropriate
2 stakeholders in carrying out its duties.

3 3. The office shall:

4 a. Assist schools in the implementation of section
5 280.28, using research-based best practices.

6 b. Develop or recommend qualified training programs
7 for training required by section 272.2, subsection 19.

8 c. Coordinate with area education agencies to
9 ensure that training required by section 272.2,
10 subsection 19, and appropriate mental health services
11 are available to every school in this state.

12 d. Provide assistance to school employees
13 responsible for conducting investigations of complaints
14 of incidents of harassment or bullying to ensure
15 compliance with section 280.28.

16 e. Administer the school climate improvement grant
17 program established by section 256.101.

18 f. Compare and analyze harassment and bullying
19 incidence data reported by school districts and
20 accredited nonpublic schools pursuant to section
21 280.28, subsection 7, and response data from the Iowa
22 youth survey. The office may use its analysis to
23 provide technical assistance to school districts or
24 schools to improve school learning environments and
25 school safety and to achieve compliance with section
26 280.28.

27 g. Coordinate with the department of public health
28 and other public and private agencies and organizations
29 in the administration of the your life Iowa initiative.
30 Contacts with the initiative relating to possible
31 harassment or bullying shall be shared with the office,
32 which shall assist the initiative in responding to such
33 contacts. The office shall maintain compliance with
34 applicable federal and state privacy laws to ensure
35 the confidentiality of information provided to the
36 initiative.

37 h. Collaborate with the department of public health
38 and other state agencies in the administration of the
39 Iowa youth survey to students in grades six, eight, and
40 eleven in Iowa's public and nonpublic schools. Survey
41 data shall be evaluated and reported, with aggregate
42 data available online at the Iowa youth survey internet
43 site.

44 Sec. 6. NEW SECTION. 256.101 School climate
45 improvement grant program.

46 1. A school climate improvement grant program is
47 established in the department to build upon previous
48 state efforts to promote school safety, including the
49 Iowa safe and supportive schools grant and program,
50 by providing funds to school districts and accredited

1 nonpublic schools to maintain, improve, and promote
2 safe and supportive learning environments in this
3 state. The program shall be administered by the office
4 of support and analysis for safe schools established
5 by section 256.100.

6 2. The office shall award funds from the program to
7 schools on a competitive grant basis. Awards shall be
8 consistent with the following goals of the program:

9 a. To implement section 280.28, using
10 research-based best practices.

11 b. To assist schools to promote a climate of
12 greater productivity, safety, and learning.

13 c. To assist schools in the professional
14 development of staff in research-based school safety
15 programs and classroom management programs.

16 d. To assist schools in enhancing and coordinating
17 antiviolence efforts between schools, professional,
18 parental, governmental, law enforcement, and community
19 organizations and associations.

20 3. Grants from the program may be used to fund
21 school programs or activities including but not limited
22 to the following:

23 a. Research-based staff training or other efforts
24 to implement section 280.28.

25 b. Assessment of compliance with section 280.28.

26 c. Technical assistance for improved classroom
27 management.

28 d. Research-based school safety programs that
29 address risk factors to reduce incidents of problem
30 behaviors among students including antiharassment and
31 antibullying programs.

32 e. Mental health demonstration projects.

33 f. Safety and security training and resources that
34 enhance the overall safety and security of staff and
35 students.

36 4. The office shall give priority in grant awards
37 to the following applicants:

38 a. Applicants that have a disproportionate need
39 as identified by results in the Iowa youth survey
40 indicating a heightened incidence of severe behavior
41 that negatively impacts the culture and climate
42 conditions necessary for student learning.

43 b. Applicants that demonstrate that they are
44 addressing needs or gaps identified from their results
45 in the Iowa youth survey.

46 c. Applicants that provide a commitment of
47 additional funds from public or private sources for the
48 programs or activities for which a grant is sought.

49 5. The office shall pursue additional funding from
50 public and private sources to support the program.

1 6. The department shall adopt rules to administer
2 the program, including but not limited to an
3 application process and grant award criteria.

4 Sec. 7. Section 272.1, Code 2014, is amended by
5 adding the following new subsection:

6 NEW SUBSECTION. 4A. "Harassment" and "bullying"
7 mean the same as defined in section 280.28.

8 Sec. 8. Section 272.2, Code 2014, is amended by
9 adding the following new subsection:

10 NEW SUBSECTION. 19. a. Adopt rules requiring all
11 teachers who have regular and substantial contact with
12 students to complete training approved by the office of
13 support and analysis for safe schools established by
14 section 256.100, on harassment and bullying prevention
15 and response as part of their professional development
16 and training plans.

17 b. Adopt rules requiring all individuals applying
18 for or renewing a license, certificate, authorization,
19 or statement of recognition issued by the board who are
20 responsible for conducting investigations of complaints
21 of incidents of harassment or bullying to complete
22 training approved by the office of support and analysis
23 for safe schools established by section 256.100, on
24 the provisions of section 280.28, conducting impartial
25 investigations with transparency, collecting evidence,
26 following up on previous investigations, and reporting
27 founded and unfounded incidents of harassment and
28 bullying to the department.

29 c. Adopt rules requiring all individuals applying
30 for or renewing an administrator license to complete
31 training approved by the office of support and analysis
32 for safe schools established by section 256.100, on
33 implementation of school-wide policies and procedures
34 for harassment and bullying identification, reporting,
35 response, and prevention.

36 Sec. 9. Section 280.28, subsection 2, paragraph a,
37 Code 2014, is amended to read as follows:

38 a. "Electronic" means any communication involving
39 the transmission of information by wire, radio,
40 optical cable, electromagnetic, or other similar
41 means. "Electronic" includes but is not limited to
42 communication via electronic mail, internet-based
43 communications including social networking sites
44 and applications, pager service, cell phones, and
45 electronic text messaging, or any other electronic
46 communication site, device, or means.

47 Sec. 10. Section 280.28, subsection 3, Code 2014,
48 is amended by adding the following new paragraph:

49 NEW PARAGRAPH. h. A procedure for documenting the
50 actions taken by the school to investigate and respond

1 to harassment or bullying.

2 Sec. 11. Section 280.28, subsection 7, Code 2014,
3 is amended to read as follows:

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

13 a. Data collected under subsection 6, as specified
14 by the department.

15 b. The process used for filing complaints,
16 including the location of online or other complaint
17 forms.

18 c. The number of school employees and volunteers
19 who have completed antiharassment and antibullying
20 training.

21 Sec. 12. Section 280.28, Code 2014, is amended by
22 adding the following new subsections:

23 NEW SUBSECTION. 9. Parental notification.

24 a. Each school district and accredited nonpublic
25 school shall establish notification procedures for
26 incidents of harassment or bullying in accordance
27 with this subsection. The procedures shall include
28 notification of the custodial parent or guardian of any
29 student directly involved in any incident of harassment
30 or bullying, upon investigation and determination that
31 harassment or bullying has occurred, consistent with a
32 notification plan made in consultation with the student
33 and school guidance staff. The notification shall
34 include information on the action that school officials
35 have taken regarding the incident and the actions
36 school officials will take to prevent further acts
37 of harassment or bullying. If such notification is
38 delayed, the school district or school shall document
39 the reasons for the delay. This paragraph does not
40 prohibit a school official from contacting a parent
41 or guardian about a report of harassment or bullying
42 prior to a determination that harassment or bullying
43 has occurred.

44 b. The requirements of this subsection shall
45 not apply if a school official reasonably believes
46 notification would subject a student to abuse, neglect,
47 or other physical or mental harm.

48 c. Notification pursuant to this subsection
49 shall comply with state and federal privacy laws,
50 regulations, and rules.

1 NEW SUBSECTION. 10. Authority off school
 2 grounds. A school official may investigate and respond
 3 appropriately to an alleged incident of harassment
 4 or bullying, including cyberbullying, that occurs
 5 outside of school, off of school property, or away
 6 from a school function or school-sponsored activity if
 7 the alleged incident of harassment or bullying has an
 8 effect on school grounds that creates an objectively
 9 hostile school environment and that meets one or more
 10 of the conditions set out under subsection 2, paragraph
 11 "b".

12 NEW SUBSECTION. 11. Rulemaking authority. The
 13 department of education may adopt rules necessary to
 14 administer this section in a uniform way across the
 15 state.

16 Sec. 13. APPROPRIATIONS. There is appropriated
 17 from the general fund of the state to the department of
 18 education for the fiscal year beginning July 1, 2013,
 19 and ending June 30, 2014, the following amounts, or
 20 so much thereof as is necessary, to be used for the
 21 purposes designated:

22 For the establishment and administration of the
 23 office of support and analysis for safe schools,
 24 for carrying out the duties of the office, including
 25 salaries, support, maintenance, and for not more than
 26 the following full-time equivalent positions:

27	\$	250,000
28	FTEs	3.00

29 For the provision of grants from the school climate
 30 improvement grant program established in section
 31 256.101:

32	\$	750,000
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33 From the moneys appropriated to the office of
 34 support and analysis for safe schools, \$150,000 shall
 35 be used to provide or facilitate the provision of
 36 training required by section 272.2, subsection 19, at
 37 minimal cost to the trainee.

38 Notwithstanding section 8.33, moneys appropriated in
 39 this section that remain unencumbered or unobligated
 40 at the close of the fiscal year shall not revert but
 41 shall remain available for expenditure for the purposes
 42 designated until the close of the succeeding fiscal
 43 year.

44 Sec. 14. EFFECTIVE UPON ENACTMENT. The following
 45 provision or provisions of this Act, being deemed of
 46 immediate importance, take effect upon enactment:

47 1. The section of this Act enacting section
 48 256.100.

49 2. The section of this Act enacting section
 50 256.101.

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1 3. The section of this Act making appropriations to
2 the department of education.>
3 2. Title page, by striking lines 1 through
4 3 and inserting <An Act relating to state and
5 school antiharassment and antibullying policies,
6 establishing an office of support and analysis
7 for safe schools, establishing a school climate
8 improvement grant program, providing for training
9 on harassment and bullying prevention and response,
10 making appropriations, and including effective date
11 provisions.>

By STECKMAN of Cerro Gordo

H-8080 FILED MARCH 4, 2014

HOUSE FILE 2409

H-8082

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. Page 3, after line 34 by inserting:
11 <Sec. ____ . Section 280.28, subsection 5, Code 2014,
12 is amended to read as follows:

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

24 b. A school employee who reasonably and in good
25 faith determines not to investigate or take further
26 action regarding a report of an alleged incident of
27 harassment or bullying that occurred outside of school,
28 off of school property, or away from a school function
29 or school-sponsored activity shall be immune from civil
30 or criminal liability relating to such determination.>

31 4. By renumbering as necessary.

By STANERSON of Linn

H-8082 FILED MARCH 4, 2014

HOUSE FILE 2429

H-8081

1 Amend House File 2429 as follows:

2 1. Page 5, line 4, after ~~and,~~ by inserting
3 <scheduled court appearances, job interviews,>

By WOLFE of Clinton

H-8081 FILED MARCH 4, 2014



HF 2388 – Foster Care Student Credit Transfer (LSB 6154HV)
Analyst: Shawn Snyder (Phone: (515) 281-7799) (shawn.snyder@legis.iowa.gov)
Fiscal Note Version – New

Description

House File 2388 requires area education agencies (AEAs) to employ a child welfare liaison to provide services and guidance to school districts to assist in the enrollment transfer of students receiving foster care services.

Additionally, this Bill requires school districts to develop procedures for awarding credits while the foster care student is enrolled in another district and promote and develop procedures that will ease the transition of the student to the school district.

Assumptions

Assumptions include:

- Each of the nine AEAs will be required to employ one additional FTE position to fulfill the child welfare liaison position requirement.
- Average salary with benefits for one FTE position with a 190-day contract is \$86,000.
- The added staff will require annual training and development equivalent to an additional 10 contract days.
- Additional staff for support of the provisions of this Bill may be required; however, this estimate assumes that support will be absorbed by current staff.
- The Department of Education has indicated the need for an additional 0.30 FTE position to administer provisions of this Bill. If no additional resources are provided, it is assumed that any additional resources required will be absorbed through current funding levels.
- The Department of Human Services has indicated this Bill will not require additional resources to implement.
- In some cases, there may be additional costs to school districts as a result of implementing provisions in this Bill. However, those costs are currently unknown and may vary between school districts.
- This Bill specifies that any additional costs to school districts resulting from this proposal, will be paid from State school aid.

Fiscal Impact

There is no State General Fund impact resulting from this Bill. There will be an additional annual cost of approximately \$90,000 per AEA, for a total cost of approximately \$810,000 and \$30,500 to the Department of Education. Any additional costs incurred by school districts or AEAs will be funded through existing State school aid allocations. Additionally, the Department of Education will require \$30,500 each year for costs associated with 0.30 FTE position.

Sources

Iowa Department of Education
Iowa Department of Human Services
Iowa Association of School Boards

/s/ Holly M. Lyons

March 3, 2014

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.



HF 2361 – Department of Transportation (DOT) Omnibus Policy Bill (LSB 5308HV)
Analyst: Adam Broich (Phone: (515) 281-8223) (adam.broich@legis.iowa.gov)
Fiscal Note Version – New

Description

House File 2361 updates several Iowa Code chapters to comply with federal law, reorganizes Iowa Code chapters **307** and **307A**, and makes several other provisions. Changes include the following:

Division One adopts the following provisions:

- This Bill prohibits the establishment, operation or maintenance of a junkyard within 1,000 feet of the nearest edge of any road on the national highway system. This Bill exempts existing junkyards and allows exceptions. This change adopts requirements from Moving Ahead for Progress in the 21st Century Act (MAP-21) for establishing **control of junkyards**.
- Redefines “primary highways” to include all highways on the national highway system and all highways on the federal aid primary system as it existed in June 1, 1991. The change will expand the DOT authority to regulate outdoor advertising along interstates and primary highways. This change adopts requirements of MAP-21 for establishing **control of outdoor advertising**.

Division Two reorganizes duties of the DOT (Iowa Code chapter **307**) and State Transportation Commission (Iowa Code chapter **307A**) to match current practices. Duties performed by the Commission are moved to Iowa Code chapter 307A, and DOT duties are moved to Iowa Code chapter 307. Corresponding references are updated.

Division Three adopts several of the following amendments:

- Allows the discharge of a security interest noted on an Iowa vehicle title in statewide computers upon the presentation of a valid certificate of title without the security interest from another jurisdiction.
- Exempts farmers and farm employees from commercial driver’s licenses requirements covered vehicles. This Bill adopts the definition of farm vehicles as defined in MAP-21.
- Describes new colored lights used as official traffic control signals.
- Extends the number of days from 10 to 30 to return a certificate of title and claim a refund of the registration fee for aircraft.
- Eliminates the requirement for an quarterly Road Use Tax Fund efficiency report.

Background

The MAP-21 Act expanded the definition of the National Highway System to include new routes. Currently, these routes and advertising along these routes are not under the jurisdiction of the DOT. Similarly, MAP-21 requires states to be responsible for junkyard control along segments recently added to the primary highway system.

Assumptions

Continued noncompliance with MAP-21 will reduce federal funding for highways. The DOT stated that current law may result in a 10.0% reduction in federal funding for failure to control advertising, and a reduction of 7.0% for failure to control junkyards. Current estimates assume unchanged spending from Federal Fiscal Year (FFY) 2014 to FFY 2015.

The DOT states that expanding the definition of the primary highway system will require an addition 250 sign permit applications. The DOT anticipates hiring an additional temporary employee (Transportation Aide), to inventory junkyards on added miles. The impact of allowing an additional 20 days to claim a registration refund for aircraft is unknown, but anticipated to be minimal.

Fiscal Impact

[HF 2361](#) will maintain current federal funding levels. Without this legislation, the DOT estimates that noncompliance with the control of advertising requirement will reduce federal revenue by \$46.9 million in FFY 2015. Noncompliance with the control of junkyard provisions will reduce federal funding by \$32.8 million in FFY 2015.

Establishing control of outdoor advertising will require the approval of 250 sign permits by DOT for each year. Sign owners will be required to pay a \$100 application fee and an annual permit renewal fee of \$15. This will increase revenue to the Highway Beautification Fund by \$25,000 in FY 2015 and \$3,750 each year after. The DOT intends to hire a temporary employee that will work approximately 26 weeks, and cost \$12,400 each fiscal year.

Source

Iowa DOT

/s/ Holly M. Lyons

March 3, 2014

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.



HF 2409 – Bullying Prevention Procedures and Training (LSB 5269HV)
Analyst: John Parker (Phone: (515) 725-2249) (john.parker@legis.iowa.gov)
Fiscal Note Version – New

Description

House File 2409 requires all individuals applying for or renewing a license, certificate, authorization, or statement of recognition issued by the Board of Educational Examiners (BoEE) to complete training approved by the Department of Education (DE) on harassment and bullying prevention and response. This Bill also requires all individuals applying for or renewing an administrator license to complete training approved by the DE on implementation of school-wide policies and procedures for harassment and bullying identification, reporting, response, and prevention. Training is also required for individuals who are responsible for conducting investigations of complaints of incidents of harassment or bullying.

This Bill requires school districts and accredited nonpublic schools to notify all employees holding a license, certificate, authorization, or statement of recognition the availability of the required training. The State Board of Education is required to adopt rules for incorporating the training requirements into the standards for individual teacher professional development plans and individual administrator development plans.

The DE is required to coordinate and implement the State's efforts to prevent and respond to harassment and bullying as defined in Iowa Code section **280.28** and can enter into Iowa Code chapter **28E** agreements with the BoEE, Department of Human Rights, the Civil Rights Commission, and postsecondary institutions. The DE is required to do the following to prevent and respond to bullying and harassment:

- Assist schools in Iowa to implement Iowa Code section **280.28**, using research-based best practices.
- Develop or recommend qualified harassment and bullying prevention and response training programs.
- Provide assistance to school employees responsible for conducting investigations of complaints of incidents of harassment or bullying.
- Compare and analyze harassment and bullying incidence data reported by school districts and response data from the Iowa Youth Survey conducted by the Department of Public Health.

This Bill modifies the definition of “electronic” under Iowa Code section **280.28** to include any other electronic communication, site, device, or means to the definition and includes social networking sites as part of the term “internet-based communications.”

Antiharassment and antibullying policies must include a procedure for the prompt notification of the parents or guardians of all students directly involved in a reported incident of harassment or bullying. The procedure may include an exception to the notification requirement if a school official reasonably believes notification will subject a student to abuse or neglect.

This Bill grants school officials the authority to investigate and impose school discipline or take other action in cases of alleged incidents of harassment or bullying, including cyberbullying, that occur outside of school, off of school property, or away from school functions if certain conditions are met.

Assumptions

- Development of harassment and bullying prevention and response training will be done by the Area Education Agencies (AEAs) at a cost of \$22,500.
- The training materials will be made available online and will be hosted and maintained in the AEA system. Additional server space and support for costs related to hosting online training will cost \$125,000 per year.
- Programming support to create and maintain the training materials will require an additional FTE position housed within the AEA system at an annual cost of \$75,000 for salary and benefits.
- Currently, the AEA system offers other mandatory training at a cost of \$25 per licensee. The harassment and bullying prevention and response training will be paid by the licensee if the school districts do not use the subscription based services for trainings offered through the AEAs.
- In the first year, four regional “investigation of bullying and harassment complaints” trainings will be conducted with a minimum of two attendees from each school district. The following year and subsequent years, two statewide investigation trainings will be offered to sustain the number of district staff trained. The cost of each training session is estimated to be \$16,500.
- Teacher time spent in training and other related expenses will be paid for by using current funding levels.

Fiscal Impact

[HF 2409](#) will increase General Fund expenditures for the Area Education Agency system by \$288,500 and 1.0 FTE position in FY 2015 and \$255,500 and 1.0 FTE position for FY 2016 and subsequent fiscal years.

Sources

Department of Education
Area Education Agencies

/s/ Holly M. Lyons

March 4, 2014

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.



HF 2371 – Emergency Mass Notification Systems (LSB 5256HV)
Analyst: Jennifer Acton (Phone: (515) 281-7846) (jennifer.acton@legis.iowa.gov)
Fiscal Note Version – New

Description

House File 2371 establishes a Mass Notification and Emergency Messaging System Fund under the control of the Department of Homeland Security and Emergency Management (HSEMD). Interest earned on the Fund balance remains in the Fund. Any ending balance, including General Fund appropriations, remain in the Fund and will carry forward to the next fiscal year. This Bill states it is legislative intent that the Mass Notification and Emergency Messaging System will receive an annual appropriation to ensure that the System functions throughout the State on an ongoing basis.

Background

- The Governor is recommending an increase of \$400,000 for the HSEMD in FY 2015 for the implementation of a statewide Mass Communication System that could be used by all 99 counties to disseminate information simultaneously during emergency situations and disaster recovery.
- In early 2013, the HSEMD issued a Request for Information (RFI) to collect statewide system proposals and cost estimates. A **Request for Proposal** (RFP) was issued on December 13, 2013, and the closing date was February 3, 2014. The successful vendor will be announced on June 1, 2014. The initial contract period is July 1, 2014, through June 30, 2019, with up to five annual one-year extensions. The Department is seeking proposals from vendors that can provide a statewide public mass notification and emergency messaging system that will allow both the Federal Emergency Management Agency (FEMA) Integrated Public Alert and Warning System (IPAWS) messaging and conventional mass notification for both emergency and nonemergency messaging. The System will be able to notify the public via phone, text, email, social media, TTY/TDD, (technology for hearing-impaired) and IPAWS.
- HF 2371 creates a Mass Notification and Emergency Messaging System Fund under the control of the HSEMD, and permits the Department to employ additional staff necessary to administer and operate the System.
- There are currently 53 counties that utilize some type of mass notification and emergency messaging system at a total cost of \$637,000 and 46 counties use no system or a free system including NOAA weather radios, outdoor warning systems, and the local media to issue warnings.

TTY = text phone for hearing impaired
TDD = telecommunication device for the Deaf

Assumptions

- The System will be under the control of the HSEMD. The Department has sole discretion over the System and may provide access to the System for use at the county and local level.
- The Department is requesting an annual, ongoing appropriation of \$400,000 to be maintained in a separate Fund. Of this amount, \$300,000 will be used for the vendor contract and \$100,000 will be used to administer the Program.
- Counties currently utilizing some type of mass notification system will have the option to use the State system, freeing up funds at the local level but usage is not mandated.

Fiscal Impact

[HF 2371](#) indicates an intent to provide an annual General Fund appropriation. It is anticipated that the cost will be limited to the amount appropriated. The funding will be provided to the HSEMD in the Justice Systems Appropriations Bill.

Source

Department of Homeland Security and Emergency Management

/s/ Holly M. Lyons

February 28, 2014

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.
