

FEB 25 2000

Place On Calendar

REPRINTED

2473

HOUSE FILE
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HF 522)

Passed House, Date 3-7-00 Passed Senate, Date 4-11-00
 Vote: Ayes 95 Nays 0 Vote: Ayes 50 Nays 0
 Approved May 3, 2000

A BILL FOR

1 An Act providing civil and criminal immunity for a school
 2 employee related to the employee's participation in reporting
 3 and investigating violence, threats of violence, or other
 4 inappropriate activity against a school employee or student in
 5 a school building, on school grounds, or at a school-sponsored
 6 function.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HOUSE FILE 2473

H-8148

1 Amend House File 2473 as follows:

- 2 1. Page 1, line 5, by inserting after the word
- 3 "faith" the following: "and acts reasonably".
- 4 2. Page 1, line 16, by striking the word "acts"
- 5 and inserting the following: "reasonable acts
- 6 undertaken in good faith".

By CARROLL of Poweshiek

H-8148 FILED MARCH 1, 2000

adopted 3/7/00
(P. 585)

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HF 2473

1 Section 1. NEW SECTION. 280.27 REPORTING VIOLENCE --
2 IMMUNITY.

3 An employee of a school district, an accredited nonpublic
4 school, or an area education agency who participates in good
5 faith in the making of a report to, or investigation by, an
6 appropriate person or agency regarding violence, threats of
7 violence, or other inappropriate activity against a school
8 employee or student in a school building, on school grounds,
9 or at a school-sponsored function shall be immune from civil
10 or criminal liability relating to such action, as well as for
11 participating in any administrative or judicial proceeding
12 resulting from or relating to the report or investigation.

13 Sec. 2. NEW SECTION. 613.20 IMMUNITY FROM CIVIL SUIT.

14 An employee of an accredited public school district,
15 accredited nonpublic school, or area education agency shall be
16 immune from civil suit for acts relating to participation in
17 the making of a report and any resulting investigation or
18 administrative or judicial proceedings regarding violence,
19 threats of violence, or other inappropriate activity against a
20 school employee or student, pursuant to the provisions of
21 section 280.27.

22 EXPLANATION

23 This bill creates new Code section 280.27, which
24 establishes civil and criminal immunity for a school employee
25 related to the employee's participation in reporting or
26 investigating violence, threats of violence, or other
27 inappropriate activity against a school employee or student in
28 a school building, on school grounds, or at a school-sponsored
29 function. A coordinating provision is added in Code chapter
30 613, relating to participation in civil actions.

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12/00 Ea
S - 3/15/00 Do Pass
S - 3/23/00 Unfinished
Business Calendar

HOUSE FILE **2473**
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HF 522)

(As Amended and Passed by the House, March 7, 2000)

Passed House, Date _____ Passed Senate, Date 4-11-00
Vote: Ayes _____ Nays _____ Vote: Ayes 50 Nays 0
Approved May 3, 2000

A BILL FOR

1 An Act providing civil and criminal immunity for a school
2 employee related to the employee's participation in reporting
3 and investigating violence, threats of violence, or other
4 inappropriate activity against a school employee or student in
5 a school building, on school grounds, or at a school-sponsored
6 function.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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House Amendments _____

HF 2473

1 Section 1. NEW SECTION. 280.27 REPORTING VIOLENCE --
2 IMMUNITY.

3 An employee of a school district, an accredited nonpublic
4 school, or an area education agency who participates in good
5 faith and acts reasonably in the making of a report to, or
6 investigation by, an appropriate person or agency regarding
7 violence, threats of violence, or other inappropriate activity
8 against a school employee or student in a school building, on
9 school grounds, or at a school-sponsored function shall be
10 immune from civil or criminal liability relating to such
11 action, as well as for participating in any administrative or
12 judicial proceeding resulting from or relating to the report
13 or investigation.

14 Sec. 2. NEW SECTION. 613.20 IMMUNITY FROM CIVIL SUIT.

15 An employee of an accredited public school district,
16 accredited nonpublic school, or area education agency shall be
17 immune from civil suit for reasonable acts undertaken in good
18 faith relating to participation in the making of a report and
19 any resulting investigation or administrative or judicial
20 proceedings regarding violence, threats of violence, or other
21 inappropriate activity against a school employee or student,
22 pursuant to the provisions of section 280.27.

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HOUSE FILE 2473

AN ACT

PROVIDING CIVIL AND CRIMINAL IMMUNITY FOR A SCHOOL
EMPLOYEE RELATED TO THE EMPLOYEE'S PARTICIPATION IN
REPORTING AND INVESTIGATING VIOLENCE, THREATS OF VIOLENCE,
OR OTHER INAPPROPRIATE ACTIVITY AGAINST A SCHOOL EMPLOYEE
OR STUDENT IN A SCHOOL BUILDING, ON SCHOOL GROUNDS, OR AT
A SCHOOL-SPONSORED FUNCTION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. 280.27 REPORTING VIOLENCE --
IMMUNITY.

An employee of a school district, an accredited nonpublic school, or an area education agency who participates in good faith and acts reasonably in the making of a report to, or investigation by, an appropriate person or agency regarding violence, threats of violence, or other inappropriate activity against a school employee or student in a school building, on school grounds, or at a school-sponsored function shall be immune from civil or criminal liability relating to such action, as well as for participating in any administrative or judicial proceeding resulting from or relating to the report or investigation.

Sec. 2. NEW SECTION. 613.20 IMMUNITY FROM CIVIL SUIT.

An employee of an accredited public school district, accredited nonpublic school, or area education agency shall be immune from civil suit for reasonable acts undertaken in good faith relating to participation in the making of a report and any resulting investigation or administrative or judicial proceedings regarding violence, threats of violence, or other

inappropriate activity against a school employee or student, pursuant to the provisions of section 280.27.

BRENT SIEGRIST
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2473, Seventy-eighth General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved *May 3*, 2000

THOMAS J. VILSACK
Governor