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SENATE FILE 2280

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SZYMONIAK

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act requiring the board of directors of a school district and
2 the authorities in charge of an accredited nonpublic school to
3 secure the performance of criminal and child and dependent
4 adult abuse record checks on all persons newly employed by the
5 school district or school as instructional or administrative
6 staff.

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

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SF 2280 EDUCATION

1 Section 1. Section 235A.15, subsection 2, paragraph e,
2 Code Supplement 1999, is amended by adding the following new
3 subparagraph:

4 NEW SUBPARAGRAPH. (16) To the superintendent, or the
5 superintendent's designee, of a school district or to the
6 authorities in charge of an accredited nonpublic school for
7 purposes of a record check pursuant to section 280.27.

8 Sec. 2. Section 235B.6, subsection 2, paragraph e, Code
9 Supplement 1999, is amended by adding the following new
10 subparagraph:

11 NEW SUBPARAGRAPH. (8) To the superintendent, or the
12 superintendent's designee, of a school district or to the
13 authorities in charge of an accredited nonpublic school for
14 purposes of a record check pursuant to section 280.27.

15 Sec. 3. NEW SECTION. 280.27 CRIMINAL AND ABUSE RECORD
16 CHECKS.

17 1. The board of directors of a public school district and
18 the authorities in charge of an accredited nonpublic school
19 shall adopt and implement a policy to secure the performance
20 of criminal and child and dependent adult abuse record checks
21 on all persons newly employed by the school district or school
22 as instructional administrative staff and who are licensed,
23 certified, or authorized by the board of educational
24 examiners. If the person newly employed holds an initial
25 license issued not more than twelve months prior to employment
26 by the school board or a school and, prior to licensure, the
27 board of educational examiners performed a background check on
28 the person, the school district or school may rely on the
29 results of the board of educational examiners' record check of
30 the person.

31 2. If a record check performed in accordance with this
32 section determines that a person has been convicted of a crime
33 under a law of any state or has a record of founded child or
34 dependent adult abuse, an evaluation shall be performed to
35 determine whether the crime or founded child or dependent

1 adult abuse warrants prohibition of the person filling the
2 position with the school district or nonpublic school. The
3 evaluation shall be performed by the school district or the
4 nonpublic school in accordance with procedures adopted for
5 this purpose by the department of education.

6 EXPLANATION

7 This bill gives the board of directors of a public school
8 district and the authorities in charge of an accredited
9 nonpublic school access to child and dependent adult abuse
10 report data and disposition data and requires school districts
11 and nonpublic schools to adopt and implement a policy to
12 secure the performance of criminal and child and dependent
13 adult abuse record checks on all persons newly employed by the
14 school district or school as permanent instructional
15 professional staff. If the person recently underwent a record
16 check by the board of educational examiners prior to initial
17 licensure, the school district or school may accept the
18 results of the board of educational examiners' record check.

19 If a record check determines that a person has been
20 convicted of a crime under a law of any state or has a record
21 of founded child or dependent adult abuse, an evaluation must
22 be performed to determine whether the crime or abuse warrants
23 prohibition of the person filling the position with the school
24 district or nonpublic school. The department of education is
25 directed to adopt procedures school districts and schools must
26 use in performing evaluations.

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