

**House File 2094 - Introduced**

HOUSE FILE 2094

BY KOESTER

(COMPANION TO SSB 3002)

**A BILL FOR**

1 An Act relating to mandatory reporting of school employee  
2 misconduct to the board of educational examiners.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 272.15, subsection 1, paragraphs a and c,  
2 Code Supplement 2011, are amended to read as follows:

3 a. (1) The board of directors of a school district or  
4 area education agency, an administrator of a school district,  
5 the chief administrator of an area education agency, and  
6 the authorities in charge of an accredited nonpublic school  
7 shall report to the board any instance of disciplinary action  
8 taken against a licensed school employee by the board of  
9 directors of the school district or area education agency, the  
10 administrator of the school district, the chief administrator  
11 of the area education agency, or the authorities in charge of  
12 the accredited nonpublic school.

13 (2) The board of directors of a school district or area  
14 education agency, ~~the superintendent~~ an administrator of  
15 a school district ~~or,~~ the chief administrator of an area  
16 education agency, and the authorities in charge of a an  
17 accredited nonpublic school shall report to the board the  
18 nonrenewal or termination, for reasons of alleged or actual  
19 misconduct, of a person's contract executed under sections  
20 279.12, 279.13, 279.15 through 279.21, 279.23, and 279.24, and  
21 the resignation of a person who holds a license, certificate,  
22 or authorization issued by the board as a result of or  
23 following an incident or allegation of misconduct that, if  
24 proven, would constitute a violation of the ~~rules~~ standards  
25 of professional conduct and ethics adopted by the board  
26 ~~to implement section 272.2, subsection 14, paragraph "b",~~  
27 ~~subparagraph (1) in 282 IAC 25,~~ when the board or reporting  
28 official has a good faith belief that the incident occurred  
29 or the allegation is true. The board may deny a license or  
30 revoke the license of an administrator if the board finds by  
31 a preponderance of the evidence that the administrator failed  
32 to report the termination or resignation of a school employee  
33 holding a license, certificate, statement of professional  
34 recognition, or coaching authorization, for reasons of alleged  
35 or actual misconduct, as defined by this section.

1 c. For purposes of this section, unless the context  
2 otherwise requires, "misconduct" means an action disqualifying  
3 an applicant for a license or causing the license of a person  
4 to be revoked or suspended in accordance with the ~~rules~~  
5 standards of professional conduct and ethics adopted by the  
6 ~~board to implement section 272.2, subsection 14, paragraph "b",~~  
7 ~~subparagraph (1) in 282 IAC 25.~~

8 Sec. 2. Section 272.15, subsection 2, Code Supplement 2011,  
9 is amended to read as follows:

10 2. If, in the course of performing official duties, an  
11 employee of the department becomes aware of any alleged  
12 misconduct by an individual licensed under this chapter, the  
13 employee shall report the alleged misconduct to the board  
14 of educational examiners under rules adopted ~~pursuant to~~  
15 subsection 1 by the board.

16 EXPLANATION

17 This bill requires the board of directors of a school  
18 district or area education agency, an administrator of a school  
19 district, the chief administrator of an area education agency,  
20 and the authorities in charge of an accredited nonpublic school  
21 to report any instance of disciplinary action taken against a  
22 licensed school employee to the board of educational examiners.

23 The bill also modifies the definition of misconduct for the  
24 purposes of mandatory reporting of school employee misconduct  
25 to the board of educational examiners to cite directly to the  
26 standards of professional conduct and ethics set out in the  
27 board's rules.