

House File 2383 - Introduced

HOUSE FILE 2383
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HF 2094)

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 area
4 education agency, the superintendent 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 superintendent of the school district, the chief administrator
11 of the area education agency, or the authorities in charge of
12 the accredited nonpublic school for conduct constituting any
13 of the following:

14 (a) Soliciting, encouraging, or consummating a romantic or
15 otherwise inappropriate relationship with a student.

16 (b) Falsifying student grades, test scores, or other
17 official information or material.

18 (c) Converting public property or funds to the personal use
19 of the school employee.

20 (d) Violations of contractual obligations, including
21 signing an employment contract with another school or area
22 education agency while under an employment contract and
23 abandoning an employment contract without prior release.

24 (2) The board of directors of a school district or area
25 education agency, the superintendent of a school district ~~or,~~
26 the chief administrator of an area education agency, and the
27 authorities in charge of a an accredited nonpublic school
28 shall report to the board the nonrenewal or termination, for
29 reasons of alleged or actual misconduct, of a person's contract
30 executed under sections 279.12, 279.13, 279.15 through 279.21,
31 279.23, and 279.24, and the resignation of a person who holds a
32 license, certificate, or authorization issued by the board as a
33 result of or following an incident or allegation of misconduct
34 that, if proven, would constitute a violation of the ~~rules~~
35 standards of professional conduct and ethics adopted by the

1 board ~~to implement section 272.2, subsection 14, paragraph "b",~~
2 ~~subparagraph (1) in 282 IAC 25,~~ when the board or reporting
3 official has a good faith belief that the incident occurred
4 or the allegation is true. The board may deny a license or
5 revoke the license of an administrator if the board finds by
6 a preponderance of the evidence that the administrator failed
7 to report the termination or resignation of a school employee
8 holding a license, certificate, statement of professional
9 recognition, or coaching authorization, for reasons of alleged
10 or actual misconduct, as defined by this section.

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

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

20 2. If, in the course of performing official duties, an
21 employee of the department becomes aware of any alleged
22 misconduct by an individual licensed under this chapter, the
23 employee shall report the alleged misconduct to the board
24 of educational examiners under rules adopted ~~pursuant to~~
25 subsection 1 by the board.

26 EXPLANATION

27 This bill requires the board of directors of a school
28 district or area education agency, the superintendent of a
29 school district, the chief administrator of an area education
30 agency, and the authorities in charge of an accredited
31 nonpublic school to report any instance of disciplinary action
32 taken against a licensed school employee to the board of
33 educational examiners for conduct constituting soliciting,
34 encouraging, or consummating a romantic or otherwise
35 inappropriate relationship with a student; falsifying student

1 grades, test scores, or other official information or material;
2 converting public property or funds to the personal use of the
3 school employee; or violations of contractual obligations.

4 The bill also modifies the definition of misconduct for the
5 purposes of mandatory reporting of school employee misconduct
6 to the board of educational examiners to cite directly to the
7 standards of professional conduct and ethics set out in the
8 board's rules.