

House Study Bill 525 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED GOVERNOR BILL)

A BILL FOR

1 An Act relating to state and school antiharassment and
2 antibullying policies and providing for training on bullying
3 prevention, suicide prevention, and professional conduct and
4 ethics for school personnel.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. SHORT TITLE. This Act shall be known and may be
2 cited as the "Bully Free Iowa Act of 2014".

3 Sec. 2. Section 256.7, Code 2014, is amended by adding the
4 following new subsection:

5 NEW SUBSECTION. 33. Adopt rules providing for annual
6 notification by the department to all school districts and
7 accredited nonpublic schools regarding the availability of
8 training meeting the requirements of section 272.2, subsection
9 19, paragraph "a". After receipt of such notification, a
10 school district or accredited nonpublic school shall notify
11 all employees holding a license, certificate, authorization,
12 or statement of recognition issued by the board of educational
13 examiners regarding the availability of such training.

14 Sec. 3. Section 272.2, Code 2014, is amended by adding the
15 following new subsection:

16 NEW SUBSECTION. 19. a. Adopt rules requiring all
17 individuals applying for or renewing a license, certificate,
18 authorization, or statement of recognition issued by the
19 board to complete training approved by the board relating to
20 bullying prevention, suicide prevention, and the board's code
21 of professional conduct and ethics, to the extent such training
22 is made available by the state of Iowa at no charge to the
23 trainee.

24 b. Adopt rules providing for waiver or suspension of
25 the training requirements of paragraph "a", if the waiver
26 or suspension is in the public interest, applicable to an
27 individual who is engaged in active duty in the military
28 service of this state or of the United States, to an individual
29 for whom compliance with the training requirements would impose
30 a significant hardship, or to an individual who is practicing
31 in an education profession outside this state.

32 Sec. 4. Section 280.28, subsection 2, paragraphs a and c,
33 Code 2014, are amended to read as follows:

34 a. "Electronic" means any communication involving the
35 transmission of information by wire, radio, optical cable,

1 electromagnetic, or other similar means. *“Electronic”* includes
2 but is not limited to communication via electronic mail,
3 internet-based communications including social networking
4 sites, pager service, cell phones, and electronic text
5 messaging, or any other electronic communication site, device,
6 or means.

7 *c. “Trait or characteristic of the student”* includes
8 but is not limited to age, color, creed, national origin,
9 race, religion, marital status, sex, sexual orientation,
10 gender identity, physical attributes, physical or mental
11 ability or disability, ancestry, political party preference,
12 political belief, socioeconomic status, ~~or~~ familial status,
13 behavior, friendship or relationship with others, or any
14 other distinguishing characteristic. This paragraph shall be
15 construed broadly to achieve the purposes of this section.

16 Sec. 5. Section 280.28, subsection 3, Code 2014, is amended
17 by adding the following new paragraph:

18 NEW PARAGRAPH. *h.* A procedure for the prompt notification
19 of the parents or guardians of all students directly involved
20 in a reported incident of harassment or bullying. The
21 procedure may include an exception to the notification
22 requirement if a school official reasonably believes
23 notification would subject a student to abuse or neglect.

24 Sec. 6. Section 280.28, Code 2014, is amended by adding the
25 following new subsection:

26 NEW SUBSECTION. 9. *Authority off school grounds.* A school
27 official may investigate and impose school discipline or take
28 other action in the case of an alleged incident of harassment
29 or bullying that occurs outside of school, off of school
30 property, or away from a school function or school-sponsored
31 activity if all of the following apply:

32 *a.* A parent, guardian, student, school employee, or
33 volunteer reports an incident of harassment or bullying
34 pursuant to the school’s policy adopted under subsection 3,
35 paragraph *“e”*.

1 definition of "harassment" and "bullying" is to be construed
2 broadly to achieve the purposes of the law.

3 The bill requires school antiharassment and antibullying
4 policies to include a procedure for the prompt notification of
5 the parents or guardians of all students directly involved in a
6 reported incident of harassment or bullying. The bill provides
7 that the procedure may include an exception to the notification
8 requirement if a school official reasonably believes
9 notification would subject a student to abuse or neglect.

10 The bill grants school officials the authority to
11 investigate and impose school discipline or take other action
12 in cases of alleged incidents of harassment or bullying that
13 occur outside of school, off of school property, or away from
14 school functions or school-sponsored activities if certain
15 conditions are met. Those conditions are that a parent,
16 guardian, student, school employee, or volunteer reports an
17 incident of harassment or bullying pursuant to the school's
18 antiharassment and antibullying policy; and that the alleged
19 incident of harassment or bullying has an effect on school
20 grounds that creates an objectively hostile school environment
21 that places the student in reasonable fear of harm to the
22 student's person or property; has a substantially detrimental
23 effect on the student's physical or mental health; has the
24 effect of substantially interfering with a student's academic
25 performance; or has the effect of substantially interfering
26 with the student's ability to participate in or benefit from
27 the services, activities, or privileges provided by a school.