

House File 2054 - Introduced

HOUSE FILE 2054

BY SALMON

A BILL FOR

1 An Act relating to sexual orientation or gender identity
2 instruction or related materials provided by school
3 districts to pupils.

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

1 Section 1. NEW SECTION. 279.50B Sexual orientation or
2 gender identity instruction.

3 1. As used in this section, unless the context otherwise
4 requires:

5 a. "*Gender identity*" means the same as defined in section
6 216.2.

7 b. "*Harassment*" and "*bullying*" mean the same as defined in
8 section 280.28, subsection 2.

9 c. "*Sexual orientation*" means the same as defined in section
10 216.2.

11 2. Each school district that provides any program,
12 curriculum, material, test, survey, questionnaire, activity,
13 announcement, promotion, or instruction of any kind relating
14 to sexual orientation or gender identity, whether offered as
15 part of human growth and development instruction or any other
16 area of instruction, shall annually provide to a parent or
17 guardian of a pupil enrolled in the school district all of the
18 following:

19 a. Information about the sexual orientation or gender
20 identity program, curriculum, material, test, survey,
21 questionnaire, activity, or instruction used in the pupil's
22 grade level.

23 b. The procedure for inspecting the sexual orientation or
24 gender identity program, curriculum, material, test, survey,
25 questionnaire, activity, or instruction prior to use of such
26 materials in the pupil's classroom.

27 c. A list of all audio, visual, and written materials that
28 will be used in conjunction with the sexual orientation or
29 gender identity instruction in the pupil's grade level.

30 d. Copies of all audio, visual, and written materials that
31 will be used in conjunction with the sexual orientation or
32 gender identity instruction in the pupil's grade level, or if
33 the audio, visual, or written materials are readily accessible
34 on the internet, information related to how to access the
35 audio, visual, or written materials.

1 e. Information regarding the procedure the parent or
2 guardian must follow to request that the pupil be excused from
3 such instruction and from receiving any related materials.

4 3. Each school district shall, upon request by any agency
5 or organization, provide information about any program,
6 curriculum, material, test, survey, questionnaire, activity
7 or instruction of any kind related to sexual orientation or
8 gender identity used in each grade level and the procedure for
9 inspecting and updating the same prior to use in the classroom.

10 4. A pupil shall not be required to take or participate in
11 any program, curriculum, material, test, survey, questionnaire,
12 activity, or instruction of any kind, whether offered as part
13 of human growth and development instruction or any other
14 area of instruction, related to sexual orientation or gender
15 identity if the pupil's parent or guardian exercises the
16 parent's or guardian's right to file with the appropriate
17 principal a written request that the pupil be excused.

18 Notification that the written request may be made shall be
19 included in information provided by the school district.

20 5. This section shall not be construed to require a school
21 district to provide any activity, curriculum, materials, tests,
22 survey, questionnaire, or instruction of any kind relating to
23 sexual orientation or gender identity that is not otherwise
24 required by law.

25 6. This section shall not be construed to require a school
26 district to provide notice to a pupil's parent or guardian
27 prior to any of the following:

28 a. A teacher employed by the school district responding
29 to questions from pupils during class related to sexual
30 orientation or gender identity as it relates to any topic of
31 instruction.

32 b. A teacher employed by the school district discussing the
33 sexual orientation or gender identity of any historical figure,
34 member of a group, or public figure, when such discussion
35 provides necessary context to any topic of instruction.

1 c. Any person employed by the school district referring
2 to sexual orientation or gender identity when necessary to
3 immediately address a specific instance of harassment or
4 bullying.

5

EXPLANATION

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The inclusion of this explanation does not constitute agreement with
the explanation's substance by the members of the general assembly.

8 This bill requires school districts to provide notification
9 and information relating to, and allows pupils to be excused
10 from, any program, curriculum, material, test, survey,
11 questionnaire, activity, announcement, promotion, or
12 instruction of any kind relating to sexual orientation or
13 gender identity.

14 The bill requires a school district that provides such
15 instruction or related material to annually provide to a
16 parent or guardian of a pupil enrolled in the school district
17 with information about the instruction or material used in
18 the pupil's grade level, the procedure for inspecting the
19 instruction or materials prior to their use in the classroom,
20 a list of all materials that will be used in conjunction with
21 the instruction, copies of all materials that will be used in
22 conjunction with the instruction or information related to
23 how to access the materials, and information regarding the
24 procedure the parent or guardian must follow to request that
25 the pupil be excused from the instruction and from receiving
26 any related materials.

27 The school district must, upon request by any agency or
28 organization, provide information about such instruction and
29 related materials and the procedure for inspecting and updating
30 the same prior to use in the classroom.

31 A pupil shall not be required to take or participate in any
32 such instruction or receive related materials if the pupil's
33 parent or guardian files with the appropriate principal a
34 written request that the pupil be excused.

35 The bill shall not be construed to require a school district

1 to provide any activity, instruction, or materials relating to
2 sexual orientation or gender identity that is not otherwise
3 required by law.

4 The bill shall not be construed to require a school district
5 to provide notice to a pupil's parent or guardian prior to a
6 teacher responding to questions during class related to sexual
7 orientation or gender identity as it relates to any topic of
8 instruction; a teacher discussing the sexual orientation or
9 gender identity of any historical figure, member of a group,
10 or public figure, when such discussion provides necessary
11 context to any topic of instruction; or any person employed by
12 the school district referring to sexual orientation or gender
13 identity when necessary to immediately address a specific
14 instance of harassment or bullying.