House File 2577 - Introduced

HOUSE FILE 2577
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HF 2499) (SUCCESSOR TO HSB 706)

A BILL FOR

- 1 An Act relating to education, including requiring the boards of
- 2 directors of school districts and the governing boards of
- 3 charter schools to publish certain specified information,
- 4 modifying provisions related to required social studies
- 5 instruction, and providing civil penalties.
- 6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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                              DIVISION I
           SCHOOL DISTRICT AND CHARTER SCHOOL TRANSPARENCY
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      Section 1. Section 256.11, subsection 10, paragraph c,
 4 subparagraph (2), unnumbered paragraph 1, Code 2022, is amended
 5 to read as follows:
      If, after having an opportunity to correct, if permitted, a
 7 school district is found to be in noncompliance with federal
 8 education laws including but not limited to the federal
 9 Elementary and Secondary Education Act of 1965, the federal
10 Individuals with Disabilities Education Act, 20 U.S.C. §1400 et
11 seq., as amended, the federal Civil Rights Act of 1964, chapter
12 216, section 279.73, or section 279.74, or section 279.76,
13 the director shall recommend, and the state board may shall
14 do, one of the following within thirty days of the finding
15 of noncompliance, or within fourteen days if the finding of
16 noncompliance is for a violation of section 279.76:
              Section 256.11, Code 2022, is amended by adding the
17
      Sec. 2.
18 following new subsection:
      NEW SUBSECTION.
                       19. a. If the department finds a school
20 district is not in compliance with section 279.76, the
21 department shall provide notice to the board of directors
22 of the school district indicating the school district's
23 noncompliance. The department shall allow the board of
24 directors of the school district at least fourteen days
25 after receipt of the notice of noncompliance to correct the
26 violation prior to taking any enforcement action pursuant to
27 subsection 10, paragraph c. In addition to any enforcement
28 action taken pursuant to subsection 10, paragraph c, if the
29 board of directors of the school district fails to correct the
30 violation within fourteen days after receipt of the notice of
31 noncompliance, the department shall assess a civil penalty
32 against the school district in an amount not less than five
33 hundred dollars and not more than five thousand dollars.
34 Revenue from the civil penalty provided in this paragraph
35 shall be remitted to the treasurer of state for deposit in the
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- 1 general fund of the state.
- 2 b. The department shall provide notice to the board of
- 3 educational examiners indicating the identity of any individual
- 4 licensed under chapter 272 who violates section 279.76.
- 5 Sec. 3. Section 256E.7, subsection 2, Code 2022, is amended
- 6 by adding the following new paragraph:
- 7 NEW PARAGRAPH. Oi. Be subject to and comply with the
- 8 requirements of sections 279.76 and 279.77 in the same manner
- 9 as a school district.
- 10 Sec. 4. NEW SECTION. 279.76 Transparency and state
- 11 standards.
- 12 1. The board of directors of a school district shall adopt
- 13 a policy describing the procedures for the parent or guardian
- 14 of a student enrolled in the school district to review the
- 15 instructional materials used in the student's classroom.
- 16 The policy shall include a process for the student's parent
- 17 or guardian to request that the student not be provided
- 18 with certain instructional materials. The policy shall be
- 19 prominently displayed on the school district's internet site
- 20 and the board of directors of the school district shall, at
- 21 least annually, provide a written or electronic copy of the
- 22 policy to the parent or guardian of each student enrolled
- 23 in the school district. For purposes of this section,
- 24 "instructional materials" means either printed or electronic
- 25 textbooks and related core materials that are written and
- 26 published primarily for use in elementary school and secondary
- 27 school instruction and are required by a state educational
- 28 agency or local educational agency for use by students in the
- 29 student's classes by the teacher of record.
- 30 2. The school district shall provide the parent or guardian
- 31 of a student enrolled in the school district with all of the
- 32 following information related to the current school year:
- 33 a. A course syllabus or written summary of the material that
- 34 will be taught in the student's classes.
- 35 b. How the student's classes meet or exceed the educational

1 standards established pursuant to section 256.11.

- 2 c. A list of all instructional materials that will be used 3 in the student's classes.
- 4 3. The school district may satisfy the requirements of
- 5 subsection 2 by providing the parent or guardian of a student
- 6 enrolled in the school district with an option to view the
- 7 materials described in subsection 2 electronically or by
- 8 providing the parent or quardian of a student enrolled in
- 9 the school district with view-only access to the materials
- 10 described in subsection 2 on the classroom management software
- 11 platform used by the school district. By July 1, 2024, the
- 12 school district shall satisfy the requirements of subsection
- 13 2 by providing the parent or guardian of a student enrolled
- 14 in the school district with view-only access to the materials
- 15 described in subsection 2 on the classroom management software
- 16 platform used by the school district.
- 17 4. If the materials described in subsection 2 are modified
- 18 during the school year, the school district shall update the
- 19 information maintained under subsection 3 within seven days
- 20 after the modification occurs to reflect the use of the new
- 21 materials.
- 22 5. The school district shall make available to the parent
- 23 or quardian of a student enrolled in the school district a
- 24 comprehensive list of all books available to students in
- 25 libraries operated by the school district by providing a link
- 26 on the school district's internet site to the electronic
- 27 catalog of the books available in the libraries operated by the
- 28 school district. However, for school years beginning prior to
- 29 July 1, 2025, if the school district does not use an electronic
- 30 catalog, the school district may request a waiver from this
- 31 requirement from the department of education.
- 32 6. The school district shall provide instructions on the
- 33 school district's internet site showing the procedures or
- 34 policies in effect for the parent or guardian of a student
- 35 enrolled in the school district to request the reconsideration

- 1 or removal of a book that is available to students in a library
- 2 operated by the school district. The school district shall
- 3 display the form for requesting reconsideration or removal of a
- 4 book prominently on the school district's internet site.
- 5 7. The board of directors of a school district shall provide
- 6 instructions related to how to access the information described
- 7 in subsections 2, 3, and 5 in a notice to the parent or guardian
- 8 of each student enrolled in the school district prior to the
- 9 start of each school year.
- 10 8. The school district shall publish on the school
- 11 district's internet site information related to the training
- 12 and professional development courses and programs offered by
- 13 the school district in which employees of the school district
- 14 have participated during the current school year.
- 9. This section shall not be construed to require the school
- 16 district to do any of the following:
- 17 a. Reproduce educational materials that were not created
- 18 by a teacher employed by the board of directors of the school
- 19 district.
- 20 b. Distribute any educational materials in a manner that
- 21 would infringe on the intellectual property rights of any
- 22 person.
- 23 Sec. 5. NEW SECTION. 279.77 Protocols for the selection,
- 24 review, reconsideration, and removal of materials from libraries.
- 25 The board of directors of a school district shall adopt
- 26 protocols for the selection, review, reconsideration, and
- 27 removal of materials from libraries operated by the school
- 28 district. The protocols shall require all of the following:
- 29 l. A process for the selection, reconsideration, and
- 30 removal of materials from libraries operated by the school
- 31 district.
- 32 2. A process for a parent or guardian of a student enrolled
- 33 in the school district to request that specific library
- 34 materials not be checked out by the student.
- 35 3. The lawful and ethical use of information resources,

- 1 including regarding plagiarism and intellectual property
 2 rights.
- 3 4. A process that allows the parent or guardian of a student
- 4 enrolled in the school district to request the reconsideration
- 5 or removal of materials from a library operated by the school
- 6 district. The process shall be prominently displayed on the
- 7 school district's internet site and shall require all of the
- 8 following:
- 9 a. Within fifteen business days after a parent's or
- 10 guardian's submission of a request to reconsider or remove
- 11 materials from a library operated by the school district, or on
- 12 or before a later date if the school district and the parent or
- 13 guardian agree in writing, the school district shall conduct
- 14 a review of the materials described in the request and make a
- 15 recommendation to the board of directors of the school district
- 16 regarding the materials described in the request. The school
- 17 district shall notify the parent or guardian in writing of the
- 18 school district's recommendation to the board of directors of
- 19 the school district.
- 20 b. The board of directors of the school district shall
- 21 act on the recommendation described in paragraph " $a^{\prime\prime}$ at the
- 22 next regularly scheduled meeting of the board of directors but
- 23 no later than thirty business days after the recommendation
- 24 is received, or on or before a later date if the board of
- 25 directors of the school district and the parent or quardian
- 26 agree in writing. The board of directors of the school
- 27 district shall notify the parent or quardian in writing
- 28 of its decision to affirm or reverse the school district's
- 29 recommendation.
- 30 c. The parent or guardian may appeal the decision of the
- 31 board of directors of the school district under paragraph "b" to
- 32 the state board of education pursuant to section 290.1.
- 33 d. If the school district or the board of directors of
- 34 the school district fails to act on a parent's or guardian's
- 35 request to reconsider or remove materials from a library

- 1 operated by the school district within the timeline provided
- 2 in this section, the parent or guardian may appeal the school
- 3 district's or the board of directors of the school district's
- 4 failure to act to the state board of education. The state
- 5 board of education shall direct the school district or the
- 6 board of directors of the school district to perform the review
- 7 as prescribed.
- 8 Sec. 6. PROCEDURE FOR THE RECONSIDERATION OR REMOVAL OF A
- 9 BOOK FROM A SCHOOL LIBRARY. The board of directors of a school
- 10 district shall create a document that illustrates the procedure
- 11 for the parent or quardian of a student enrolled in a school
- 12 district to request the reconsideration or removal of a book
- 13 that is available to students in a library operated by the
- 14 school district as required by section 279.77, as enacted by
- 15 this division of this Act.
- 16 DIVISION II
- 17 SOCIAL STUDIES INSTRUCTION
- 18 Sec. 7. Section 256.11, subsection 5, paragraph b, Code
- 19 2022, is amended to read as follows:
- 20 b. (1) Five units of the social studies including
- 21 instruction in voting statutes and procedures, voter
- 22 registration requirements, the use of paper ballots and voting
- 23 systems in the election process, and the method of acquiring
- 24 and casting an absentee ballot. All students shall complete a
- 25 minimum of one-half unit of United States government and one
- 26 unit of United States history.
- 27 (2) The one-half unit of United States government shall
- 28 include the all of the following:
- 29 (a) The voting procedure as described in this lettered
- 30 paragraph and section 280.9A. The government instruction shall
- 31 also include a
- 32 (b) A study of the Constitution of the United States and the
- 33 Bill of Rights contained in the Constitution and an assessment
- 34 of a student's knowledge of the Constitution and the Bill of
- 35 Rights.

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      (c) An assessment of the student's knowledge of United
 2 States government and civics that includes the nature,
 3 purpose, structure, function, and history of the United States
 4 government, the rights and responsibilities of citizens of
 5 the United States, and important United States government and
 6 civic leaders. The most recent version of the civics test
 7 developed by the United States citizenship and immigration
 8 services shall be used as the assessment required by this
 9 subparagraph division. On or before June 30 of each year, each
10 school district and nonpublic school shall submit the results
11 of the assessment required by this subparagraph division to the
12 department.
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                              EXPLANATION
           The inclusion of this explanation does not constitute agreement with
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            the explanation's substance by the members of the general assembly.
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      This bill relates to education, including requiring the
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17 boards of directors of school districts and the governing
18 boards of charter schools to publish certain specified
19 information and modifying provisions related to required social
20 studies instruction.
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      DIVISION I - SCHOOL DISTRICT AND CHARTER SCHOOL
22 TRANSPARENCY. The bill creates new Code section 279.76, which
23 requires the board of directors of a school district to adopt
24 a policy describing the procedures for a parent or quardian
25 of a student enrolled in the school district to review the
26 instructional materials used in the student's classroom.
27 bill establishes what the policy is required to include and how
28 the policy is to be provided to parents and guardians.
29
      New Code section 279.76 requires a school district to
30 provide parents and guardians with a course syllabus or written
31 summary of material that will be taught in the student's
32 classes, how the classes meet or exceed the state's educational
33 standards, and a list of all instructional materials that
34 will be used in the student's classes. The bill establishes
35 requirements related to notifying parents and quardians of
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- 1 updates to these materials.
- 2 New Code section 279.76 requires a school district to
- 3 make available to parents and guardians a list of all books
- 4 available to students in libraries operated by the school
- 5 district. The bill establishes how a school district is to
- 6 make this list available.
- 7 New Code section 279.76 requires a school district to
- 8 provide instructions on the school district's internet site
- 9 showing the procedures or policies in effect for parents and
- 10 guardians to request the reconsideration or removal of a book
- 11 that is in a library operated by the school district.
- 12 New Code section 279.76 requires a school district to
- 13 publish information related to the training and professional
- 14 development offered by the school district in which employees
- 15 of the school district have participated.
- 16 The bill provides that the requirements of new Code section
- 17 279.76 apply to charter schools established pursuant to Code
- 18 chapter 256E.
- 19 Current Code section 256.11(10) requires the state board
- 20 of education to establish an accreditation, monitoring,
- 21 and enforcement process for school districts. The bill
- 22 provides that compliance with new Code section 279.76 shall
- 23 be considered as part of that process. The bill authorizes
- 24 the department of education to assess a civil penalty against
- 25 a school district if the department finds that the school
- 26 district is in violation of new Code section 279.76, and the
- 27 school district does not correct the violation within the
- 28 timelines established in the bill.
- 29 The bill creates new Code section 279.77, which requires
- 30 the board of directors of a school district to adopt protocols
- 31 for the selection, review, reconsideration, and removal of
- 32 materials from libraries operated by the school district. The
- 33 bill establishes what the protocols are to require. The bill
- 34 requires the board of directors of a school district to create
- 35 a document that illustrates the procedure for a parent or

1 guardian to request the reconsideration or removal of a book 2 that is in a library operated by the school district. 3 provides that the requirements of new Code section 279.77 apply 4 to charter schools established pursuant to Code chapter 256E. DIVISION II - SOCIAL STUDIES INSTRUCTION. Under current 6 law, the educational program established pursuant to Code 7 section 256.11 is required to include, in grades 9 through 12, 8 five units of social studies, one-half unit of which is to 9 consist of instruction in United States government. 10 provides that this one-half unit of United States government 11 shall include an assessment of the student's knowledge of 12 United States government and civics. The bill provides that 13 the most recent version of the civics test developed by the 14 United States citizenship and immigration services shall be 15 used as the assessment. The bill requires each school district 16 and accredited nonpublic school to submit the results of the 17 civics test to the department of education by June 30 of each 18 year.