

Senate File 2205 - Introduced

SENATE FILE 2205
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SSB 3079)

A BILL FOR

1 An Act relating to the rights of students enrolled in school
2 districts or charter schools and the rights of parents and
3 guardians of those students.

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

1 Section 1. NEW SECTION. 279.76 Parent or guardian bill of
2 rights.

3 1. All of the following parental rights are reserved to
4 the parent or guardian of a minor child without obstruction or
5 interference from the board of directors of the school district
6 or the governing board of the charter school in which the minor
7 child is enrolled:

8 a. The right to know what the board of directors of the
9 school district or the governing board of the charter school in
10 which the minor child is enrolled is teaching the minor child,
11 including the textbooks, books, articles, outlines, handouts,
12 presentations, videos, and any other similar materials the
13 board of directors of the school district or the governing
14 board of the charter school, as applicable, uses for student
15 instruction.

16 b. The right to access and review information related to
17 who is teaching the minor child, including guest lecturers and
18 outside presenters.

19 c. The right to access and review information related to
20 persons who contract with or otherwise receive moneys from the
21 board of directors of the school district or the governing
22 board of the charter school, unless otherwise prohibited by
23 state or federal law.

24 d. The right to access to the minor child while the
25 minor child is in school that a reasonable person would deem
26 necessary to ensure the health and safety of the minor child,
27 unless otherwise prohibited by state or federal law or a court
28 order.

29 e. The right to access and review all school records
30 relating to the minor child, unless chapter 232, subchapter
31 III, part 2, prohibits the record from being disclosed.

32 f. The right to access and review information related to the
33 collection and transmission of information related to the minor
34 child, including assessment information, documents created by
35 the minor child, and teacher evaluations of the minor child.

1 *g.* Subject to section 22.7, the right to access and
2 review information necessary to ensure the accountability and
3 transparency of the board of directors of the school district
4 or the governing board of the charter school in which the minor
5 child is enrolled.

6 *h.* The right to access and review information related to the
7 minor child's safety while at school, unless the information is
8 deemed confidential under state or federal law.

9 2. *a.* The board of directors of a school district or the
10 governing board of a charter school shall not require any
11 student to engage in any activity, including instruction,
12 or any test, assessment, or other means of evaluation, that
13 involves sexually explicit material without the express prior
14 written consent of the student's parent or guardian.

15 *b.* The board of directors of a school district or the
16 governing board of a charter school shall make every effort
17 to prohibit a minor child from accessing sexually explicit
18 material in the classroom or on a device that is owned by the
19 school district or the charter school. The board of directors
20 of a school district or the governing board of a charter school
21 shall not allow a minor child to check out sexually explicit
22 material from a library operated by the school district or the
23 charter school without the express prior written consent of the
24 minor child's parent or guardian.

25 3. The board of directors of a school district or the
26 governing board of a charter school must receive the prior
27 written consent of a student's parent or guardian before
28 requiring a student to take part in any of the following
29 activities:

30 *a.* An activity that involves the collection, disclosure,
31 or use of personal information collected from students for the
32 purpose of marketing or selling the information or providing
33 the information to any other person for its marketing or sale.

34 *b.* A survey, analysis, or evaluation that reveals
35 information concerning any of the following:

1 (1) The political affiliations or beliefs of the student or
2 the student's parent or guardian.

3 (2) Mental or psychological problems of the student or the
4 student's family.

5 (3) Sex behavior or attitudes.

6 (4) Illegal, antisocial, self-incriminating, or demeaning
7 behavior.

8 (5) Critical appraisals of other individuals with whom the
9 student has close familial relationships.

10 (6) Legally recognized privileged or analogous
11 relationships, such as those of attorneys, physicians, or
12 ministers.

13 (7) Religious practices, affiliations, or beliefs of the
14 student or the student's parent or guardian.

15 (8) Income, except when required by law to determine
16 eligibility for participation in a program or for receiving
17 financial assistance under such a program.

18 c. Any nonemergency, invasive physical examination or
19 screening that is required as a condition of attendance,
20 administered by the school and is scheduled in advance, and
21 that is not necessary to protect the immediate health and
22 safety of the student or other students.

23 4. The rights guaranteed to parents and guardians by this
24 section are not a comprehensive list of the rights reserved
25 to parents or guardians of a minor child. The enumeration of
26 the rights contained in this section shall not be construed to
27 limit the rights reserved to parents or guardians of a minor
28 child.

29

EXPLANATION

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

32 This bill relates to the rights of students enrolled in
33 school districts or charter schools and the rights of parents
34 and guardians of those students.

35 The bill creates new Code section 279.76 (parent or guardian

1 bill of rights). The bill provides that, notwithstanding any
2 provision of law to the contrary, the following rights are
3 reserved to the parent or guardian of a minor child: the right
4 to know what the board of directors of the school district
5 or the governing board of the charter school in which the
6 minor child is enrolled is teaching the minor child; the right
7 to access and review information related to who is teaching
8 the minor child; the right to access and review information
9 related to persons who contract with or otherwise receive
10 moneys from the board of directors of the school district or
11 the governing board of the charter school; the right to access
12 to the minor child while the minor child is in school that a
13 reasonable person would deem necessary to ensure the health and
14 safety of the minor child, unless otherwise prohibited by law
15 or a court order; the right to access and review all school
16 records relating to the minor child unless Code chapter 232,
17 subchapter III, part 2 (child abuse reporting), prohibits the
18 record from being disclosed; the right to access and review
19 information related to the collection and transmission of
20 information related to the minor child; the right to access and
21 review information necessary to ensure the accountability and
22 transparency of the board of directors of the school district
23 or the governing board of the charter school; and the right
24 to access and review information related to the minor child's
25 safety at school.

26 The bill provides that the board of directors of a school
27 district or the governing board of the charter school shall
28 not require any student to engage in any activity, including
29 instruction or any test, assessment, or other means of
30 evaluation that involves sexually explicit material without
31 the express prior written consent of the student's parent or
32 guardian. The bill also provides that the board of directors
33 of a school district or the governing board of the charter
34 school shall make every effort to prohibit a minor child from
35 accessing sexually explicit material in a classroom or on a

1 device owned by the school district or charter school.

2 The bill prohibits the board of directors of a school
3 district or the governing board of a charter school from
4 allowing a minor child to check out sexually explicit material
5 from a library operated by the school district or the charter
6 school without the express written consent of the minor child's
7 parent or guardian.

8 The bill requires the board of directors of a school
9 district or the governing board of a charter school to receive
10 the prior written consent of a student's parent or guardian
11 before requiring a student to take part in certain specified
12 activities, surveys, analyses, evaluations, or physical
13 examinations or screenings.

14 The bill provides that the rights guaranteed by new Code
15 section 279.76 are not a comprehensive list of the rights
16 reserved to parents or guardians of a minor child.