

House File 5 - Introduced

HOUSE FILE 5

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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:

DIVISION I

SCHOOL DISTRICT AND CHARTER SCHOOL TRANSPARENCY

1
2 Section 1. Section 256.11, subsection 10, paragraph c,
3 subparagraph (2), unnumbered paragraph 1, Code 2023, is amended
4 to read as follows:
5

6 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 279.77,
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 279.77:

17 Sec. 2. Section 256.11, Code 2023, is amended by adding the
18 following new subsection:

19 NEW SUBSECTION. 19. a. If the department finds a school
20 district is not in compliance with section 279.77, 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

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 whose violation of section 279.77
5 leads to enforcement action pursuant to subsection 10,
6 paragraph "c".

7 Sec. 3. Section 256E.7, subsection 2, Code 2023, is amended
8 by adding the following new paragraph:

9 NEW PARAGRAPH. *Oj.* Be subject to and comply with the
10 requirements of sections 279.77 and 279.78 in the same manner
11 as a school district.

12 Sec. 4. NEW SECTION. **279.77 Transparency and state**
13 **standards.**

14 1. The board of directors of a school district shall adopt
15 a policy describing the procedures for the parent or guardian
16 of a student enrolled in the school district to review the
17 instructional materials used in the student's classroom.
18 The policy shall include a process for the student's parent
19 or guardian to request that the student not be provided
20 with certain instructional materials. The policy shall be
21 prominently displayed on the school district's internet site
22 and the board of directors of the school district shall, at
23 least annually, provide a written or electronic copy of the
24 policy to the parent or guardian of each student enrolled
25 in the school district. For purposes of this section,
26 "*instructional materials*" means either printed or electronic
27 textbooks and related core materials that are written and
28 published primarily for use in elementary school and secondary
29 school instruction and are required by a state educational
30 agency or local educational agency for use by students in the
31 student's classes by the teacher of record. "*Instructional*
32 *materials*" does not include lesson plans.

33 2. The school district shall provide the parent or guardian
34 of a student enrolled in the school district with all of the
35 following information related to the current school year:

1 *a.* A course syllabus or written summary of the material that
2 will be taught in the student's classes.

3 *b.* How the student's classes meet or exceed the educational
4 standards established pursuant to section 256.11.

5 *c.* A list of all instructional materials that will be used
6 in the student's classes by the teacher of record.

7 3. The school district may satisfy the requirements of
8 subsection 2 by providing the parent or guardian of a student
9 enrolled in the school district with an option to view the
10 materials described in subsection 2 electronically or by
11 providing the parent or guardian of a student enrolled in
12 the school district with view-only access to the materials
13 described in subsection 2 on the classroom management software
14 platform used by the school district. By July 1, 2025, the
15 school district shall satisfy the requirements of subsection
16 2 by providing the parent or guardian of a student enrolled
17 in the school district with view-only access to the materials
18 described in subsection 2 on the classroom management software
19 platform used by the school district.

20 4. If the materials described in subsection 2 are modified
21 during the school year, the teacher of record or the school
22 district shall update the information maintained under
23 subsection 3 on or before the end of the school week when the
24 modification occurs to reflect the teacher of record's use of
25 the new materials.

26 5. The school district shall make available to the parent
27 or guardian of a student enrolled in the school district a
28 comprehensive list of all books available to students in
29 libraries operated by the school district by providing a link
30 on the school district's internet site to the electronic
31 catalog of the books available in the libraries operated by the
32 school district. However, for school years beginning prior to
33 July 1, 2026, if the school district does not use an electronic
34 catalog, the school district may request a waiver from this
35 requirement from the department of education.

1 6. The school district shall provide instructions on the
2 school district's internet site showing the procedures or
3 policies in effect for the parent or guardian of a student
4 enrolled in the school district to request the reconsideration
5 or removal of a book that is available to students in a library
6 operated by the school district. The school district shall
7 display the form for requesting reconsideration or removal of a
8 book prominently on the school district's internet site.

9 7. The board of directors of a school district shall provide
10 instructions related to how to access the information described
11 in subsections 2, 3, and 5 in a notice to the parent or guardian
12 of each student enrolled in the school district prior to the
13 start of each school year.

14 8. The school district shall publish on the school
15 district's internet site information related to the training
16 and professional development courses and programs offered by
17 the school district in which employees of the school district
18 have participated during the current school year.

19 9. This section shall not be construed to require the school
20 district to do any of the following:

21 a. Reproduce educational materials that were not created
22 by a teacher employed by the board of directors of the school
23 district.

24 b. Distribute any educational materials in a manner that
25 would infringe on the intellectual property rights of any
26 person.

27 10. The requirements of this section shall not apply when
28 the teacher of record provides instruction pursuant to chapter
29 256B.

30 **Sec. 5. NEW SECTION. 279.78 Protocols for the selection,**
31 **review, reconsideration, and removal of materials from libraries.**

32 The board of directors of a school district shall adopt
33 protocols for the selection, review, reconsideration, and
34 removal of materials from libraries operated by the school
35 district. The protocols shall require all of the following:

1 1. A process for the selection, reconsideration, and
2 removal of materials from libraries operated by the school
3 district.

4 2. A process for a parent or guardian of a student enrolled
5 in the school district to request that specific library
6 materials not be checked out by the student.

7 3. The lawful and ethical use of information resources,
8 including information regarding plagiarism and intellectual
9 property rights.

10 4. A process that allows the parent or guardian of a student
11 enrolled in the school district to request the reconsideration
12 or removal of materials from a library operated by the school
13 district. The process shall be prominently displayed on the
14 school district's internet site and shall require all of the
15 following:

16 a. Within fifteen business days after a parent's or
17 guardian's submission of a request to reconsider or remove
18 materials from a library operated by the school district, or on
19 or before a later date if the school district and the parent or
20 guardian agree in writing, the school district shall conduct
21 a review of the materials described in the request and make a
22 recommendation to the board of directors of the school district
23 regarding the materials described in the request. The school
24 district shall notify the parent or guardian in writing of the
25 school district's recommendation to the board of directors of
26 the school district.

27 b. The board of directors of the school district shall
28 act on the recommendation described in paragraph "a" at the
29 next regularly scheduled meeting of the board of directors but
30 no later than thirty business days after the recommendation
31 is received, or on or before a later date if the board of
32 directors of the school district and the parent or guardian
33 agree in writing. The board of directors of the school
34 district shall notify the parent or guardian in writing
35 of its decision to affirm or reverse the school district's

1 recommendation.

2 *c.* The parent or guardian may appeal the decision of the
3 board of directors of the school district under paragraph “b” to
4 the state board of education pursuant to section 290.1.

5 *d.* If the school district or the board of directors of
6 the school district fails to act on a parent’s or guardian’s
7 request to reconsider or remove materials from a library
8 operated by the school district within the timeline provided
9 in this section, the parent or guardian may appeal the school
10 district’s or the board of directors of the school district’s
11 failure to act to the state board of education. The state
12 board of education shall direct the school district or the
13 board of directors of the school district to perform the review
14 as prescribed.

15 Sec. 6. PROCEDURE FOR THE RECONSIDERATION OR REMOVAL OF A
16 BOOK FROM A SCHOOL LIBRARY. The board of directors of a school
17 district shall create a document that illustrates the procedure
18 for the parent or guardian of a student enrolled in a school
19 district to request the reconsideration or removal of a book
20 that is available to students in a library operated by the
21 school district as required by section 279.78, as enacted by
22 this division of this Act.

23 DIVISION II

24 SOCIAL STUDIES INSTRUCTION

25 Sec. 7. Section 256.11, subsection 5, paragraph b, Code
26 2023, is amended to read as follows:

27 *b.* (1) Five units of the social studies including
28 instruction in voting statutes and procedures, voter
29 registration requirements, the use of paper ballots and voting
30 systems in the election process, and the method of acquiring
31 and casting an absentee ballot. All students shall complete a
32 minimum of one-half unit of United States government and one
33 unit of United States history.

34 (2) The one-half unit of United States government shall
35 include ~~the~~ all of the following:

1 (a) The voting procedure as described in this lettered
2 paragraph and section 280.9A. ~~The government instruction shall~~
3 ~~also include a~~

4 (b) A study of the Constitution of the United States and the
5 Bill of Rights contained in the Constitution and an assessment
6 of a student's knowledge of the Constitution and the Bill of
7 Rights.

8 (c) An assessment of the student's knowledge of United
9 States government and civics that includes the nature,
10 purpose, structure, function, and history of the United States
11 government, the rights and responsibilities of citizens of
12 the United States, and important United States government and
13 civic leaders. The most recent version of the civics test
14 developed by the United States citizenship and immigration
15 services shall be used as the assessment required by this
16 subparagraph division. On or before June 30 of each year, each
17 school district and nonpublic school shall submit the results
18 of the assessment required by this subparagraph division to the
19 department.

20 EXPLANATION

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

23 This bill relates to education, including requiring the
24 boards of directors of school districts and the governing
25 boards of charter schools to publish certain specified
26 information and modifying provisions related to required social
27 studies instruction.

28 DIVISION I — SCHOOL DISTRICT AND CHARTER SCHOOL
29 TRANSPARENCY. The bill enacts new Code section 279.77, which
30 requires the board of directors of a school district and
31 charter schools to adopt a policy describing the procedures
32 for the parent or guardian of a student enrolled in the
33 school district or charter school to review the instructional
34 materials used in the student's classroom. The bill requires
35 the policy to include a process for the parent or guardian

1 to request that the student not be provided with certain
2 instructional materials. The bill also requires the school
3 district or charter school to display the policy on its
4 internet site and annually provide a written or electronic
5 copy of the policy to the parent or guardian of each student
6 enrolled in the school district or charter school.

7 New Code section 279.77 also requires school districts and
8 charter schools to provide the parent or guardian of a student
9 enrolled in the school district or charter school with all of
10 the following information related to the current school year:
11 a course syllabus or summary of material that will be taught
12 in the student's classes, how the student's classes meet or
13 exceed educational standards, and a list of all instructional
14 materials that will be used in the student's classes. The
15 bill establishes that school districts and charter schools may
16 provide the information in certain specified electronic forms.
17 The bill requires a teacher or the school district or charter
18 school to update the information on or before the end of the
19 school week when a modification occurs.

20 New Code section 279.77 requires school districts and
21 charter schools to make available to the parent or guardian of
22 a student enrolled in the school district or charter school
23 a comprehensive list of all books available to students in
24 libraries operated by the school district or charter school.
25 The bill requires school districts and charter schools to
26 provide instructions on their internet sites that show the
27 procedures in effect for the parent or guardian to request the
28 removal of a book from a school library.

29 New Code section 279.77 requires school districts and
30 charter schools to publish on their internet sites information
31 related to the training and professional development courses
32 and programs offered by the school district or charter school
33 in which employees of the school district or charter school
34 have participated during the current school year.

35 New Code section 279.77 establishes that it does not apply to

1 teachers providing special education instruction pursuant to
2 Code chapter 256B.

3 The bill provides that if the department of education
4 determines a school district or charter school is found to be
5 in noncompliance with new Code section 279.77, after having an
6 opportunity to correct the issue, the department is required to
7 take corrective action, which could include imposing conditions
8 on funding or withholding certain payments. The bill also
9 provides that if the school district or charter school
10 continues to be in noncompliance with new Code section 279.77
11 within 14 days after receipt of notice from the department,
12 the department shall assess a civil penalty against the school
13 district or charter school in an amount not less than \$500 and
14 not more than \$5,000. The bill requires the department to
15 provide notice to the board of educational examiners indicating
16 the identity of any individual licensed by the board whose
17 violation of new Code section 279.77 leads to enforcement
18 action by the department.

19 The bill enacts new Code section 279.78, which requires the
20 board of directors of a school district or charter school to
21 adopt protocols for the selection, review, reconsideration,
22 and removal of materials in school libraries. The bill
23 establishes that the protocols are required to include all
24 of the following: a process for the selection and removal
25 of materials from school libraries; a process for a parent
26 or guardian of a student enrolled in the school district or
27 charter school to request that specific library materials not
28 be checked out by the student; the lawful and ethical use of
29 information resources; and a process that allows the parent
30 or guardian of a student enrolled in the school district
31 or charter school to request the removal of materials from
32 school libraries. The bill requires the board of directors
33 of a school district or charter school to create a document
34 illustrating the procedure for the parent or guardian to
35 request the removal of a book that is available in a school

1 library.

2 DIVISION II — SOCIAL STUDIES INSTRUCTION. Under current
3 law, the educational program established pursuant to Code
4 section 256.11 is required to include, in grades 9 through 12,
5 five units of social studies, one-half unit of which is to
6 consist of instruction in United States government. The bill
7 provides that this one-half unit of United States government
8 shall include an assessment of the student's knowledge of
9 United States government and civics. The bill provides that
10 the most recent version of the civics test developed by the
11 United States citizenship and immigration services shall be
12 used as the assessment. The bill requires each school district
13 and nonpublic school to submit the results of the assessment
14 to the department of education by June 30 of each year. By
15 operation of law, a charter school is subject to the education
16 standards of Code section 256.11 unless the state board of
17 education waives a particular standard for the charter school
18 during the charter school's application.