

# House Study Bill 112 - Introduced

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON EDUCATION BILL BY  
CHAIRPERSON WHEELER)

## A BILL FOR

1 An Act relating to curriculum and staff or student training  
2 provided by employees or contractors of school districts,  
3 including implementing provisions related to noncompliance,  
4 modifying the responsibilities of the department of  
5 education and board of educational examiners, and providing  
6 civil penalties.

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

1 Section 1. Section 256.9, Code 2023, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 66. *a.* Develop and make available on the  
4 department's internet site a system to allow for a student  
5 enrolled in a school district, or the parent or guardian of  
6 a student enrolled in a school district, to report potential  
7 violations of section 279.74, subsection 2. The system shall  
8 allow the student, parent, or guardian to indicate the school  
9 district that is the subject of the potential violation.

10 *b.* Compile the reports of potential violations submitted  
11 pursuant to paragraph "a" and redact all personally  
12 identifiable information from the compilation of reports of  
13 potential violations.

14 *c.* Submit the compilation of reports of potential violations  
15 prepared pursuant to paragraph "b" to the general assembly in an  
16 annual report each July 1. The annual report shall indicate  
17 the school district that is the subject of each report of a  
18 potential violation.

19 Sec. 2. NEW SECTION. 272.30 **Notification to department of**  
20 **education of noncompliance.**

21 The board shall immediately notify the department of  
22 education if the board determines that any person who holds  
23 a license, certificate, authorization, or statement of  
24 recognition issued by the board may have violated section  
25 279.74, subsection 2, so that the department may investigate  
26 the potential violation pursuant to section 279.74, subsection  
27 2A.

28 Sec. 3. Section 279.74, Code 2023, is amended by adding the  
29 following new subsections:

30 NEW SUBSECTION. 2A. If the department of education  
31 determines that an employee of a school district or a  
32 contractor hired by a school district has violated subsection  
33 2, the department shall provide notice to the board of  
34 directors of the school district indicating the school  
35 district's noncompliance. The department shall allow the board

1 of directors of the school district at least fourteen days  
2 after receipt of the notice of noncompliance to correct the  
3 violation prior to taking any enforcement action pursuant to  
4 section 256.11, subsection 10, paragraph "c". In addition  
5 to any enforcement action taken pursuant to section 256.11,  
6 subsection 10, paragraph "c", if the board of directors of  
7 the school district fails to correct the violation within  
8 fourteen days after receipt of the notice of noncompliance,  
9 the department shall assess a civil penalty against the school  
10 district in an amount not less than five hundred dollars and  
11 not more than five thousand dollars. Revenue from the civil  
12 penalty provided in this subsection shall be remitted to the  
13 treasurer of state for deposit in the general fund of the  
14 state.

15 NEW SUBSECTION. 5. The state board of education shall adopt  
16 rules pursuant to chapter 17A to administer this section.

17 Sec. 4. Section 279.74, subsection 4, paragraph d, Code  
18 2023, is amended to read as follows:

19 d. Create Except as provided in subsection 2A, create any  
20 right or benefit, substantive or procedural, enforceable at  
21 law or in equity by any party against the state of Iowa, its  
22 departments, agencies, or entities, its officers, employees,  
23 or agents, or any other person.

24 EXPLANATION

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

27 This bill relates to curriculum and staff or student  
28 training provided by employees or contractors of school  
29 districts, including implementing provisions related to  
30 noncompliance, and modifying the responsibilities of the  
31 department of education and board of educational examiners.

32 Current Code section 279.74 requires the superintendent of  
33 each school district to ensure that any curriculum or mandatory  
34 staff or student training provided by an employee of the school  
35 district or by a contractor hired by the school district does

1 not teach, advocate, encourage, promote, or act upon specific  
2 stereotyping and scapegoating toward others on the basis of  
3 demographic group membership or identity. The bill modifies  
4 Code section 279.74 to require that if the department of  
5 education (DE) determines that an employee or a contractor  
6 has violated this provision, DE shall provide notice to the  
7 board of directors of the school district indicating the school  
8 district's noncompliance. The bill provides that DE is to  
9 allow the board of directors at least 14 days after receipt  
10 of the notice of noncompliance to correct the violation prior  
11 to taking any enforcement action. The bill establishes that,  
12 in addition to any enforcement action already permitted under  
13 Code section 256.11 (enforcement of educational standards), if  
14 the board of directors fails to correct the violation within  
15 14 days after receipt of the notice of noncompliance, DE is  
16 required to assess a civil penalty against the school district  
17 in an amount not less than \$500 and not more than \$5,000. The  
18 bill authorizes the state board of education to adopt rules  
19 to administer Code section 279.74. The bill also requires  
20 the board of educational examiners to notify DE if the board  
21 determines that any person who holds a license, certificate,  
22 authorization, or statement of recognition issued by the board  
23 may have violated this provision. The bill makes conforming  
24 changes.

25 The bill requires the director of DE to develop and make  
26 available on DE's internet site a system to allow for a student  
27 enrolled in a school district, or the parent or guardian of  
28 a student enrolled in a school district, to report potential  
29 violations of Code section 279.74. The bill requires the  
30 director to compile the reports of potential violations and  
31 submit the compilation of reports of potential violations to  
32 the general assembly in an annual report each July 1.