

Senate Study Bill 3042 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
EDUCATION BILL)

A BILL FOR

1 An Act relating to mandatory reporting to the board of
2 educational examiners of licensed school employees who
3 engage in grooming behavior toward students or the abuse of
4 students.

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

1 Section 1. Section 256.160, subsection 1, paragraph a,
2 subparagraph (1), subparagraph division (a), Code 2024, is
3 amended by striking the subparagraph division and inserting in
4 lieu thereof the following:

5 (a) Soliciting, encouraging, or consummating any of the
6 following:

7 (i) A romantic or physical relationship with a student.

8 (ii) Grooming behavior toward a student.

9 (iii) An otherwise inappropriate relationship with a
10 student.

11 Sec. 2. Section 256.160, subsection 1, paragraph a,
12 subparagraph (1), Code 2024, is amended by adding the following
13 new subparagraph division:

14 NEW SUBPARAGRAPH DIVISION. (e) Abusing a student.

15 Sec. 3. Section 256.160, subsection 1, paragraph a,
16 subparagraph (2), Code 2024, is amended to read as follows:

17 (2) The board of directors of a school district or area
18 education agency, the superintendent of a school district,
19 the chief administrator of an area education agency, and
20 the authorities in charge of an accredited nonpublic school
21 shall report to the board the nonrenewal or termination, for
22 reasons of alleged or actual misconduct, of a person's contract
23 executed under [sections 279.12, 279.13, 279.15, 279.16, 279.18](#)
24 [through 279.21, 279.23, and 279.24](#), and the resignation of
25 a person who holds a license, certificate, or authorization
26 issued by the board as a result of or following an incident
27 or allegation of misconduct that, if proven, would constitute
28 a violation of the rules adopted by the board to implement
29 [section 256.146, subsection 13, paragraph "b", subparagraph](#)
30 [\(1\); soliciting, encouraging, or consummating a romantic or](#)
31 [physical relationship with a student, grooming behavior toward](#)
32 [a student, or an otherwise inappropriate relationship with](#)
33 [a student; falsifying student grades, test scores, or other](#)
34 [official information or material; ~~or~~ converting public property](#)
35 [or funds to the personal use of the school employee; or abusing](#)

1 a student, when the board or reporting official has a good
2 faith belief that the incident occurred or the allegation is
3 true. The board may deny a license or revoke the license
4 of an administrator if the board finds by a preponderance
5 of the evidence that the administrator failed to report the
6 termination or resignation of a school employee holding a
7 license, certificate, statement of professional recognition,
8 or coaching authorization, for reasons of alleged or actual
9 misconduct, as defined by [this section](#).

10 Sec. 4. Section 256.160, subsection 1, paragraph c, Code
11 2024, is amended by striking the paragraph.

12 Sec. 5. Section 256.160, Code 2024, is amended by adding the
13 following new subsection:

14 NEW SUBSECTION. 5. For purposes of this section:

15 *a. "Grooming behavior"* means engaging in a pattern of
16 flirtatious behavior, making any effort to gain unreasonable
17 access to, or time alone with any student with no discernible
18 educational purpose, engaging in any behavior that can
19 reasonably be construed as involving an inappropriate, overly
20 personal, or intimate relationship with or conduct toward or
21 focus on a student, and engaging in any other individualized,
22 special treatment not in compliance with generally accepted
23 educational practices.

24 *b. "Misconduct"* means an action disqualifying an applicant
25 for a license or causing the license of a person to be revoked
26 or suspended in accordance with the rules adopted by the board
27 to implement section 256.146, subsection 13, paragraph "b",
28 subparagraph (1).

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 mandatory reporting to the board of
33 educational examiners of licensed school employees who engage
34 in grooming behavior toward students of the abuse of students.

35 Current law requires the board of directors of a school

1 district or area education agency, the superintendent of a
2 school district, the chief administrator of an area education
3 agency, and the authorities in charge of an accredited
4 nonpublic school, to report to the board of educational
5 examiners any instance of disciplinary action taken against a
6 licensed school employee for conduct constituting soliciting,
7 encouraging, or consummating a romantic or otherwise
8 inappropriate relationship with a student. The bill adds that
9 such a report is also required to be made for conduct that
10 constitutes grooming behavior toward a student or for conduct
11 that constitutes abusing a student.

12 The bill defines "grooming behavior" as engaging in a
13 pattern of flirtatious behavior, making any effort to gain
14 unreasonable access to, or time alone with any student with
15 no discernible educational purpose, engaging in any behavior
16 that can reasonably be construed as involving an inappropriate,
17 overly personal, or intimate relationship with or conduct
18 toward or focus on a student, and engaging in any other
19 individualized, special treatment not in compliance with
20 generally accepted educational practices.

21 The bill makes conforming changes, including by moving the
22 definition of "misconduct" within Code section 256.160.