

Senate Study Bill 3050 - Introduced

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

A BILL FOR

1 An Act modifying provisions related to the time in which the
2 board of educational examiners can investigate complaints
3 relating to licensed school employees having romantic or
4 otherwise inappropriate relationships with students.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 256.146, subsection 14, paragraph a,
2 Code 2024, is amended to read as follows:

3 a. Adopt rules that require specificity in written
4 complaints that are filed by individuals who have personal
5 knowledge of an alleged violation and which are accepted by
6 the board, provide that the jurisdictional requirements as set
7 by the board in administrative rule are met on the face of the
8 complaint before initiating an investigation of allegations,
9 provide that any investigation be limited to the allegations
10 contained on the face of the complaint, provide for an adequate
11 interval between the receipt of a complaint and public notice
12 of the complaint, permit parties to a complaint to mutually
13 agree to a resolution of the complaint filed with the board,
14 allow the respondent the right to review any investigative
15 report upon a finding of probable cause for further action
16 by the board, require that the conduct providing the basis
17 for the complaint occurred within three years of discovery of
18 the event by the complainant unless good cause can be shown
19 for an extension of this limitation or unless the conduct
20 constitutes conduct described in section 256.160, subsection
21 1, paragraph "a", subparagraph (1), subparagraph division (a),
22 require complaints to be resolved within one hundred eighty
23 days unless good cause can be shown for an extension of this
24 limitation, and require the board to finalize the investigation
25 of the written complaint even if the licensed practitioner
26 resigns or surrenders the licensed practitioner's license,
27 certificate, authorization, or statement of recognition during
28 the investigation.

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 modifies provisions related to the time in which
33 the board of educational examiners (BOEE) can investigate
34 complaints relating to licensed school employees having
35 romantic or otherwise inappropriate relationships with

1 students. Current law requires the BOEE to adopt rules
2 related to the filing of complaints against individuals who
3 hold a license, certificate, authorization, or statement of
4 recognition issued by the BOEE. Current law also requires
5 that the conduct providing the basis for the complaint to have
6 occurred within three years of discovery of the event by the
7 complainant unless good cause can be shown for an extension
8 of the three-year limitation. The bill provides that the
9 three-year limitation shall also not apply if the conduct
10 constitutes soliciting, encouraging, or consummating a romantic
11 or otherwise inappropriate relationship with a student.