

House File 145 - Introduced

HOUSE FILE 145
BY JONES

A BILL FOR

- 1 An Act relating to charter schools and nonpublic schools and
- 2 sexual exploitation by a school employee, and making penalties
- 3 applicable.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 709.15, subsection 1, Code 2025, is
2 amended by adding the following new paragraphs:

3 NEW PARAGRAPH. *Ob.* "Charter school" means a school
4 established under chapter 256E or 256F.

5 NEW PARAGRAPH. *Of.* "Nonpublic school" means any school,
6 other than a public school, that is accredited pursuant to
7 section 256.11.

8 Sec. 2. Section 709.15, subsection 1, paragraph g,
9 subparagraph (1), subparagraph divisions (c), (d), and (e), Code
10 2025, are amended to read as follows:

11 (c) A person employed by a school district, charter school,
12 or nonpublic school full-time, part-time, or as a substitute.

13 (d) A person who performs services as a volunteer for a
14 school district, charter school, or nonpublic school and who
15 has direct supervisory authority over the student with whom
16 the person engages in conduct prohibited under subsection 3,
17 paragraph "a".

18 (e) A person who provides services under a contract for such
19 services to a school district, charter school, or nonpublic
20 school and who has direct supervisory authority over the
21 student with whom the person engages in conduct prohibited under
22 subsection 3, paragraph "a".

23 EXPLANATION

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

26 This bill relates to charter schools and nonpublic schools and
27 sexual exploitation by a school employee.

28 Current law does not include employees or contractors of
29 charter schools or accredited nonpublic schools in the definition
30 of "school employee" for purposes of criminalizing sexual
31 exploitation of a student by a school employee.

32 The bill provides that the following are "school employees"
33 for purposes of Code section 709.15: a person employed by a
34 school district, charter school, or nonpublic school full-time,
35 part-time, or as a substitute; a person who performs services as

1 a volunteer for a school district, charter school, or nonpublic
2 school and who has direct supervisory authority over the student
3 with whom the person engages in prohibited conduct; and a person
4 who provides services under a contract for such services to a
5 school district, charter school, or nonpublic school and who
6 has direct supervisory authority over the student with whom the
7 person engages in prohibited conduct.

8 A school employee who commits sexual exploitation faces
9 penalties ranging from an aggravated misdemeanor to a class "D"
10 felony. An aggravated misdemeanor is punishable by confinement
11 for no more than two years and a fine of at least \$855 but
12 not more than \$8,540. A class "D" felony is punishable by
13 confinement for no more than five years and a fine of at least
14 \$1,025 but not more than \$10,245.

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