

**Senate File 2044 - Introduced**

SENATE FILE 2044  
BY GRUENHAGEN

**A BILL FOR**

1 An Act relating to the responsibilities of school districts and  
2 charter schools related to the discipline of students who  
3 cause violent or nonviolent disruptions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 256.9, subsection 68, Code 2026, is  
2 amended to read as follows:

3 68. Develop and distribute to school districts and charter  
4 schools model policies that, if adopted by a school district or  
5 charter school, would satisfy the school district's or charter  
6 school's responsibilities under section 279.65A relating to the  
7 discipline of a student for ~~making a threat of violence or~~  
8 ~~causing an incident of violence that results in injury or~~  
9 ~~property damage or assault~~ causing a violent or nonviolent  
10 disruption.

11 Sec. 2. Section 256E.7, subsection 2, paragraph m, Code 2026,  
12 is amended to read as follows:

13 m. Be subject to and comply with the requirements of section  
14 279.65A relating to the adoption of policies related to the  
15 discipline of a student ~~for making a threat of violence or~~  
16 ~~causing an incident of violence that results in injury or~~  
17 ~~property damage or assault~~ who causes a violent or nonviolent  
18 disruption in the same manner as a school district.

19 Sec. 3. Section 279.65A, Code 2026, is amended to read as  
20 follows:

21 **279.65A Discipline of students who make ~~threats of violence~~**  
22 **~~or cause incidents of violence~~ cause violent or nonviolent**  
23 **disruptions — teacher authority.**

24 1. The board of directors of each school district shall  
25 adopt, in collaboration with teachers and administrative staff  
26 employed by the school district, policies for different grade  
27 levels that describe how a school district may discipline a  
28 student for ~~making a threat of violence or causing an incident~~  
29 ~~of violence that results in injury or property damage or assault~~  
30 causing a violent disruption or nonviolent disruption. All of  
31 the following shall apply to the policies:

32 1. a. The policies must incorporate strategies that are  
33 designed to correct the student's behavior.

34 2. b. The policies must provide for parent or guardian  
35 conferences, counseling sessions, or mental health counseling

1 sessions, when appropriate. The policies must provide that the  
2 school district must receive the prior written consent of the  
3 student's parent or guardian before requiring the student to  
4 participate in a counseling session or a mental health counseling  
5 session.

6 ~~3.~~ c. The policies must be consistent with ~~the~~ all of the  
7 following:

8 (1) The provisions of chapter 256B, ~~the~~ and the  
9 administrative rules adopted by the state board for purposes of  
10 chapter 256B, ~~the~~ federal.

11 (2) The federal Individuals with Disabilities Education Act,  
12 20 U.S.C. §1400 et seq., ~~and the~~ federal.

13 (3) The federal Rehabilitation Act of 1973, as amended and  
14 codified in 29 U.S.C. §701 et seq.

15 (4) The federal Family Educational Rights and Privacy Act, 20  
16 U.S.C. §1232g et seq.

17 (5) The federal Americans with Disabilities Act of 1990, 42  
18 U.S.C. §12101 et seq.

19 ~~4.~~ d. The policies must provide for escalating levels of  
20 discipline each time the student ~~makes a threat of violence or~~  
21 ~~causes an incident of violence that results in injury or property~~  
22 ~~damage or assault~~ causes a violent disruption or nonviolent  
23 disruption.

24 ~~5.~~ e. The policies must allow for the school district  
25 to select the level of discipline that the school district  
26 determines corresponds to the severity of the ~~threat of~~  
27 ~~violence or incident of violence~~ violent disruption or nonviolent  
28 disruption.

29 ~~6.~~ f. The policies must allow the school district to suspend  
30 the student, permanently remove the student from a particular  
31 class, expel the student, or place the student in an alternative  
32 learning environment, including a therapeutic classroom, when  
33 appropriate.

34 ~~7.~~ g. The policies must require an individualized education  
35 program meeting if the student who ~~made the threat of violence~~

1 ~~or caused the incident of violence that resulted in injury~~  
2 ~~or property damage or assault~~ caused a violent disruption or  
3 nonviolent disruption, or who was removed from the classroom  
4 pursuant to this subsection, has an individualized education  
5 program.

6 h. (1) The policies must require each attendance center  
7 within the school district to create a placement review committee  
8 that is responsible for determining when a student who was  
9 removed from a classroom pursuant to paragraph "i" or "j" may  
10 return to the classroom.

11 (2) The placement review committee must consist of all of the  
12 following members:

13 (a) Two teachers who work in the attendance center and who  
14 must be selected by the teachers of the attendance center.

15 (b) One professional staff member who works in the attendance  
16 center and who must be selected by the principal of the  
17 attendance center.

18 i. (1) (a) The policies must authorize a teacher to remove  
19 a student who causes a nonviolent disruption from the teacher's  
20 classroom and place the student under the supervision of the  
21 principal of the attendance center in which the classroom  
22 is located, or the principal's designee, for at least thirty  
23 minutes, as determined by the principal or the principal's  
24 designee in accordance with the policies.

25 (b) The policies must prohibit the principal, or the  
26 principal's designee, from returning a student who is removed  
27 from the classroom pursuant to subparagraph division (a) to the  
28 teacher's classroom without the teacher's consent, unless the  
29 placement review committee determines that the student should be  
30 returned to the classroom pursuant to paragraph "h", subparagraph  
31 (1).

32 (c) The policies must require the principal, or the  
33 principal's designee, to inform the teacher of the disciplinary  
34 actions taken against the student removed from the classroom  
35 pursuant to subparagraph division (a) as soon as is reasonably

1 possible after the student's removal.

2 (d) The policies must require a student who is removed from  
3 the classroom pursuant to subparagraph division (a) to make up  
4 any work that the student missed while the student was under the  
5 supervision of the principal or the principal's designee.

6 (2) The policies must require that, if a student is  
7 removed from a teacher's classroom pursuant to subparagraph  
8 (1), subparagraph division (a), more than once in one school  
9 year, the teacher or teachers who removed the student from  
10 the classroom; the principal of the attendance center in which  
11 the classroom or classrooms are located; a qualified guidance  
12 counselor licensed by the board of educational examiners under  
13 chapter 256, subchapter VII, part 3; the student's parent or  
14 legal guardian, if the student is not an emancipated minor;  
15 and the student shall participate in a meeting to discuss the  
16 student's nonviolent disruptions and to establish a behavioral  
17 plan and a course of discipline to correct the student's  
18 behavior, which may include placement in an alternative learning  
19 environment, including a therapeutic classroom, when appropriate.

20 j. (1) The policies must require a teacher to remove a  
21 student who causes a violent disruption from the teacher's  
22 classroom and place the student under the supervision of the  
23 principal of the attendance center in which the classroom is  
24 located, or the principal's designee.

25 (2) (a) The policies must prohibit the principal, or the  
26 principal's designee, from returning a student who is removed  
27 from the classroom pursuant to subparagraph (1) to the teacher's  
28 classroom without the teacher's consent, unless the placement  
29 review committee determines that the student should be returned  
30 to the classroom pursuant to paragraph "h", subparagraph (1).

31 (b) Notwithstanding paragraph "h", subparagraph (1), and  
32 subparagraph division (a), the policies must provide that the  
33 placement review committee shall not have the authority to  
34 require a student to return to a teacher's classroom if all of  
35 the following criteria are satisfied:



1 through current Code section 256E.7(2)(m), charter schools, to  
2 adopt, in collaboration with teachers and administrative staff  
3 employed by the school, policies for different grade levels  
4 that describe how a school may discipline a student for making  
5 a threat of violence or causing an incident of violence that  
6 results in injury or property damage or assault. Current Code  
7 section 279.65A establishes requirements related to the policies.

8 The bill modifies Code section 279.65A to require school  
9 districts and charter schools to adopt, in collaboration with  
10 teachers and administrative staff employed by the school,  
11 policies for different grade levels that describe how a school  
12 may discipline a student for causing a violent disruption or  
13 nonviolent disruption. The bill defines "nonviolent disruption"  
14 to include a disruption to classroom instruction that is a result  
15 of disorderly conduct, abusive or profane language, bullying,  
16 or repeatedly disruptive behavior. The bill defines "violent  
17 disruption" to include a disruption to classroom instruction that  
18 is a result of a threat of violence or an incident of violence  
19 that results in injury, property damage, or assault.

20 The policies must be consistent with the provisions of Code  
21 chapter 256B (special education) and rules adopted by the state  
22 board of education for purposes of Code chapter 256B and with  
23 certain specified federal laws.

24 The policies must require each attendance center within the  
25 school district to create a placement review committee that is  
26 responsible for determining when a student who was removed from  
27 the classroom pursuant to the bill's provisions may return to the  
28 classroom. The bill establishes the membership of the placement  
29 review committee.

30 The policies must authorize a teacher to remove a student who  
31 causes a nonviolent disruption from the teacher's classroom and  
32 place the student under the supervision of the principal for at  
33 least 30 minutes. A student who is removed from the classroom  
34 pursuant to this provision is required to make up any work that  
35 the student missed while the student was under the supervision

1 of the principal. In addition, the policies must prohibit  
2 the principal from returning a student who is removed from  
3 the classroom to the teacher's classroom without the teacher's  
4 consent, unless the placement review committee determines that  
5 the student should be returned to the classroom. The policies  
6 must also require the principal to inform the teacher of the  
7 disciplinary actions taken against the student who was removed  
8 from the classroom as soon as is reasonably possible after the  
9 student's removal. The policies must require that if a student  
10 is removed from the classroom more than once in one school year,  
11 the teacher, a qualified guidance counselor, the student's parent  
12 or legal guardian, if the student is not an emancipated minor,  
13 and the student are required to participate in a meeting to  
14 discuss the student's nonviolent disruptions and to establish  
15 a behavioral plan and a course of discipline to correct the  
16 student's behavior, which may include placement in an alternative  
17 learning environment.

18 The policies must require a teacher to remove a student who  
19 causes a violent disruption from the teacher's classroom and  
20 place the student under the supervision of the principal. The  
21 policies must prohibit the principal from returning a student  
22 who is removed from the classroom pursuant to this provision  
23 to the teacher's classroom without the teacher's consent, unless  
24 the placement review committee determines that the student should  
25 be returned to the classroom. However, the placement review  
26 committee shall not have the authority to require a student  
27 to return to a teacher's classroom if the teacher removed the  
28 student from the teacher's classroom because the student caused  
29 a violent disruption that included the student assaulting the  
30 teacher, and the teacher does not consent to allowing the student  
31 to return to the teacher's classroom. The policies must require  
32 that a student removed from the classroom pursuant to this  
33 provision be suspended, expelled, or placed in an alternative  
34 learning environment.

35 The bill makes conforming changes.