

**Senate File 335 - Introduced**

SENATE FILE 335

BY SALMON, CAMPBELL, PIKE,  
ALONS, ROWLEY, and GUTH

**A BILL FOR**

1 An Act relating to education, including by modifying provisions  
2 related to trainings and curricula provided by school  
3 districts and prohibited sexual orientation and gender  
4 identity instruction, and implementing prohibitions related to  
5 the diversity, equity, and inclusion efforts of institutions  
6 of higher learning governed by the state board of regents,  
7 community colleges, and public schools.

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

unofficial

1 Section 1. Section 256.146, subsection 13, paragraph b, Code  
2 2025, is amended by adding the following new subparagraphs:

3 NEW SUBPARAGRAPH. (5) A court finds that the person has  
4 violated section 279.74, subsection 2.

5 NEW SUBPARAGRAPH. (6) A court finds that the person has  
6 violated section 279.80.

7 NEW SUBPARAGRAPH. (7) A court finds that the person knew of  
8 a violation of section 279.87, subsection 2, by a school district  
9 but failed to report such violation.

10 Sec. 2. Section 256E.7, subsection 2, Code 2025, is amended  
11 by adding the following new paragraph:

12 NEW PARAGRAPH. Or. Be subject to and comply with the  
13 requirements of section 279.87 related to prohibitions and  
14 requirements related to diversity, equity, and inclusion in the  
15 same manner as a school district.

16 Sec. 3. Section 256F.4, subsection 2, Code 2025, is amended  
17 by adding the following new paragraph:

18 NEW PARAGRAPH. r. Be subject to and comply with the  
19 requirements of section 279.87 related to prohibitions and  
20 requirements related to diversity, equity, and inclusion in the  
21 same manner as a school district.

22 Sec. 4. Section 279.74, subsection 1, Code 2025, is amended  
23 by adding the following new paragraphs:

24 NEW PARAGRAPH. 0a. "Administrator" means the same as defined  
25 in section 256.145.

26 NEW PARAGRAPH. d. "Teacher" means the same as defined in  
27 section 256.145.

28 Sec. 5. Section 279.74, Code 2025, is amended by adding the  
29 following new subsections:

30 NEW SUBSECTION. 2A. a. (1) A parent or guardian of a  
31 student enrolled in the school district, or an employee of the  
32 school district, who alleges a violation of subsection 2 by a  
33 contractor or teacher may bring a civil action for injunctive  
34 relief against the school district that hired the contractor or  
35 employs the teacher to prohibit the contractor or teacher from

1 continuing such violation.

2 (2) A parent or guardian of a student enrolled in the school  
3 district, or an employee of the school district, who alleges  
4 that an administrator knew of a violation of subsection 2 by  
5 a contractor or teacher but failed to stop such violation may  
6 bring a civil action for injunctive relief against the school  
7 district that employs the administrator to require the school  
8 district to prohibit the contractor or teacher from continuing  
9 such violation.

10 b. If a parent, guardian, or employee is the prevailing party  
11 in a civil action instituted pursuant to paragraph "a", all of  
12 the following shall apply:

13 (1) The court shall award reasonable court costs and attorney  
14 fees to the parent, guardian, or employee.

15 (2) The court shall assess a fifty thousand dollar civil  
16 penalty against the school district that hired the contractor  
17 or employs the teacher or administrator. Moneys from the civil  
18 penalty provided in this subparagraph shall be remitted to the  
19 treasurer of state for deposit in the general fund of the state.

20 (3) The clerk of court shall send a copy of the court's order  
21 issued pursuant to this subsection to the board of educational  
22 examiners.

23 NEW SUBSECTION. 2B. If, after investigation, the department  
24 of education determines that a teacher has violated subsection  
25 2, or that an administrator knew of a violation of subsection  
26 2 by a contractor or teacher but failed to stop such violation,  
27 and no civil action has been instituted under subsection 2A, the  
28 teacher or administrator, as applicable, shall be subject to the  
29 following:

30 a. (1) For the teacher's first violation of subsection 2,  
31 the department shall issue a written warning to the teacher.

32 (2) The first time in which the administrator knew of a  
33 violation of subsection 2 by a contractor or teacher but failed  
34 to stop such violation, the department shall issue a written  
35 warning to the administrator.

1     b. (1) For the teacher's second or subsequent violation of  
2 subsection 2, if the department finds that the teacher knowingly  
3 violated subsection 2, the teacher shall be subject to a hearing  
4 conducted by the board of educational examiners pursuant to  
5 section 256.146, subsection 13, which may result in disciplinary  
6 action.

7     (2) The second or subsequent time in which the administrator  
8 knew of a violation of subsection 2 by a contractor or teacher  
9 but failed to stop such violation, the administrator shall be  
10 subject to a hearing conducted by the board of educational  
11 examiners pursuant to section 256.146, subsection 13, which may  
12 result in disciplinary action.

13     NEW SUBSECTION. 2C. If a parent or guardian of a student  
14 enrolled in the school district, or an employee of the school  
15 district, is not satisfied with the result of a hearing conducted  
16 under subsection 2B, paragraph "b", the parent, guardian, or  
17 employee may do any of the following:

18     a. Report the teacher's violation of subsection 2, or the  
19 administrator's failure to stop a teacher's or contractor's  
20 violation of subsection 2, to the state board of education for  
21 investigation and potential further enforcement.

22     b. Report the teacher's violation of subsection 2, or the  
23 administrator's failure to stop a teacher's or contractor's  
24 violation of subsection 2, to the attorney general for  
25 investigation and potential further enforcement.

26     c. Bring a civil action for injunctive relief against the  
27 school district that employs the teacher or administrator to  
28 prohibit further violations of subsection 2.

29     NEW SUBSECTION. 2D. If a parent or guardian of a student  
30 enrolled in the school district, or an employee of the school  
31 district, believes that a teacher has violated subsection 2, or  
32 that an administrator failed to stop a teacher's or contractor's  
33 violation of subsection 2, the parent, guardian, or employee may  
34 report the teacher's potential violation or the administrator's  
35 failure to stop a potential violation to the director of the

1 department of education.

2 Sec. 6. Section 279.74, subsection 4, paragraph d, Code 2025,  
3 is amended to read as follows:

4 d. Create Except as provided in subsections 3, 4, and  
5 5, create any right or benefit, substantive or procedural,  
6 enforceable at law or in equity by any party against the state  
7 of Iowa, its departments, agencies, or entities, its officers,  
8 employees, or agents, or any other person.

9 Sec. 7. Section 279.80, subsection 1, Code 2025, is amended  
10 by adding the following new paragraphs:

11 NEW PARAGRAPH. 0a. "Administrator" means the same as defined  
12 in section 256.145.

13 NEW PARAGRAPH. c. "Teacher" means the same as defined in  
14 section 256.145.

15 Sec. 8. Section 279.80, Code 2025, is amended by adding the  
16 following new subsections:

17 NEW SUBSECTION. 3. a. (1) A parent or guardian of a  
18 student enrolled in the school district, or an employee of the  
19 school district, who alleges a violation of subsection 2 by a  
20 contractor or teacher may bring a civil action for injunctive  
21 relief against the school district that hired the contractor or  
22 employs the teacher to prohibit the contractor or teacher from  
23 continuing such violation.

24 (2) A parent or guardian of a student enrolled in the school  
25 district, or an employee of the school district, who alleges  
26 that an administrator knew of a violation of subsection 2 by  
27 a contractor or teacher but failed to stop such violation may  
28 bring a civil action for injunctive relief against the school  
29 district that employs the administrator to require the school  
30 district to prohibit the contractor or teacher from continuing  
31 such violation.

32 b. If a parent, guardian, or employee is the prevailing party  
33 in a civil action instituted pursuant to paragraph "a", all of  
34 the following shall apply:

35 (1) The court shall award reasonable court costs and attorney

1 fees to the parent, guardian, or employee.

2 (2) The court shall assess a fifty thousand dollar civil  
3 penalty against the school district that hired the contractor  
4 or employs the teacher or administrator. Moneys from the civil  
5 penalty provided in this subparagraph shall be remitted to the  
6 treasurer of state for deposit in the general fund of the state.

7 (3) The clerk of court shall send a copy of the court's order  
8 issued pursuant to this subsection to the board of educational  
9 examiners.

10 NEW SUBSECTION. 4. If, after investigation, the department  
11 of education determines that a teacher has violated subsection  
12 2, or that an administrator knew of a violation of subsection  
13 2 by a contractor or teacher but failed to stop such violation,  
14 and no civil action has been instituted under subsection 3, the  
15 teacher or administrator, as applicable, shall be subject to the  
16 following:

17 a. (1) For the teacher's first violation of subsection 2,  
18 the department shall issue a written warning to the teacher.

19 (2) The first time in which the administrator knew of a  
20 violation of subsection 2 by a contractor or teacher but failed  
21 to stop such violation, the department shall issue a written  
22 warning to the administrator.

23 b. (1) For the teacher's second or subsequent violation of  
24 subsection 2, if the department finds that the teacher knowingly  
25 violated subsection 2, the teacher shall be subject to a hearing  
26 conducted by the board of educational examiners pursuant to  
27 section 256.146, subsection 13, which may result in disciplinary  
28 action.

29 (2) The second or subsequent time in which the administrator  
30 knew of a violation of subsection 2 by a contractor or teacher  
31 but failed to stop such violation, the administrator shall be  
32 subject to a hearing conducted by the board of educational  
33 examiners pursuant to section 256.146, subsection 13, which may  
34 result in disciplinary action.

35 NEW SUBSECTION. 5. If a parent or guardian of a student

1 enrolled in the school district, or an employee of the school  
2 district, is not satisfied with the result of a hearing conducted  
3 under subsection 4, paragraph "b", the parent, guardian, or  
4 employee may do any of the following:

5 a. Report the teacher's violation of subsection 2, or the  
6 administrator's failure to stop a teacher's or contractor's  
7 violation of subsection 2, to the state board of education for  
8 investigation and potential further enforcement.

9 b. Report the teacher's violation of subsection 2, or the  
10 administrator's failure to stop a teacher's or contractor's  
11 violation of subsection 2, to the attorney general for  
12 investigation and potential further enforcement.

13 c. Bring a civil action for injunctive relief against the  
14 school district that employs the teacher or administrator to  
15 prohibit further violations of subsection 2.

16 NEW SUBSECTION. 6. If a parent or guardian of a student  
17 enrolled in the school district, or an employee of the school  
18 district, believes that a teacher has violated subsection 2, or  
19 that an administrator failed to stop a teacher's or contractor's  
20 violation of subsection 2, the parent, guardian, or employee may  
21 report the teacher's potential violation or the administrator's  
22 failure to stop a potential violation to the director of the  
23 department of education.

24 Sec. 9. NEW SECTION. **279.87 Diversity, equity, and**  
25 **inclusion — prohibitions.**

26 1. For purposes of this section:

27 a. "Administrator" means the same as defined in section  
28 256.145.

29 b. "Diversity, equity, and inclusion" includes all of the  
30 following:

31 (1) Any effort to promote differential treatment of or  
32 provide special benefits to individuals on the basis of race,  
33 color, or ethnicity.

34 (2) Any effort to promote or promulgate policies and  
35 procedures designed or implemented with reference to race, color,

1 or ethnicity.

2 (3) Any effort to promote or promulgate trainings,  
3 programming, or activities designed or implemented with  
4 reference to race, color, ethnicity, gender identity, or sexual  
5 orientation.

6 (4) Any effort to promote, as the official position  
7 of the school district, a particular, widely contested  
8 opinion referencing unconscious or implicit bias, cultural  
9 appropriation, allyship, transgender ideology, microaggressions,  
10 group marginalization, antiracism, systemic oppression, social  
11 justice, intersectionality, neopronouns, heteronormativity,  
12 disparate impact, gender theory, racial privilege, sexual  
13 privilege, or any related formulation of these concepts.

14 c. *"Diversity, equity, and inclusion office"* means any  
15 division, office, center, or other unit of a school district  
16 that is responsible for creating, developing, designing,  
17 implementing, organizing, planning, or promoting policies,  
18 programming, training, practices, activities, or procedures  
19 related to diversity, equity, and inclusion. *"Diversity, equity,  
20 and inclusion office"* does not include a registered student  
21 organization.

22 2. A school district shall not, except as otherwise provided  
23 by federal or state law, do any of the following:

24 a. Establish or maintain a diversity, equity, and inclusion  
25 office.

26 b. Hire or assign an employee of the school district,  
27 or contract with a third party, to perform the duties of a  
28 diversity, equity, or inclusion office.

29 3. a. A parent or guardian of a student enrolled in the  
30 school district, or an employee of the school district, who  
31 alleges that an administrator knew of a violation of subsection 2  
32 by a school district but failed to stop such violation may bring  
33 a civil action for injunctive relief against the school district  
34 that employs the administrator to prohibit the school district  
35 from continuing such violation.

1     b. If a parent, guardian, or employee is the prevailing party  
2 in a civil action instituted pursuant to paragraph "a", all of  
3 the following shall apply:

4     (1) The court shall award reasonable court costs and attorney  
5 fees to the parent, guardian, or employee.

6     (2) The court shall assess a fifty thousand dollar civil  
7 penalty against the school district. Moneys from the civil  
8 penalty provided in this subparagraph shall be remitted to the  
9 treasurer of state for deposit in the general fund of the state.

10    (3) The clerk of court shall send a copy of the court's order  
11 issued pursuant to this subsection to the board of educational  
12 examiners.

13    4. If, after investigation, the department of education  
14 determines that an administrator knew of a violation of  
15 subsection 2 by a school district but failed to stop such  
16 violation, and no civil action has been instituted under  
17 subsection 3, the administrator shall be subject to the  
18 following:

19     a. The first time in which the administrator knew of a  
20 violation of subsection 2 by a school district but failed to stop  
21 such violation, the department shall issue a written warning to  
22 the administrator.

23     b. The second or subsequent time in which the administrator  
24 knew of a violation of subsection 2 by a school district but  
25 failed to stop such violation, the administrator shall be subject  
26 to a hearing conducted by the board of educational examiners  
27 pursuant to section 256.146, subsection 13, which may result in  
28 disciplinary action.

29    5. If a parent or guardian of a student enrolled in the  
30 school district, or an employee of the school district, is not  
31 satisfied with the result of a hearing conducted under subsection  
32 4, paragraph "b", the parent, guardian, or employee may do any of  
33 the following:

34     a. Report the administrator's failure to stop the school  
35 district's violation of subsection 2 to the state board of

1 education for investigation and potential further enforcement.

2     b. Report the administrator's failure to stop the school  
3 district's violation of subsection 2 to the attorney general for  
4 investigation and potential further enforcement.

5     c. Bring a civil action for injunctive relief against the  
6 school district that employs the administrator to prohibit  
7 further violations of subsection 2.

8     6. If a parent or guardian of a student enrolled in the  
9 school district, or an employee of the school district, believes  
10 that an administrator failed to stop a school district's  
11 violation of subsection 2, the parent, guardian, or employee may  
12 report the administrator's failure to stop a potential violation  
13 to the director of the department of education.

14     Sec. 10. 2024 Iowa Acts, chapter 1152, section 31, subsection  
15 3, is amended to read as follows:

16     3. "*Public institution of higher education*" ~~means~~ includes  
17 all of the following:

18     a. An institution of higher learning governed by the state  
19 board of regents.

20     b. A community college established under chapter 260C.

21     Sec. 11. 2024 Iowa Acts, chapter 1152, section 35, is amended  
22 to read as follows:

23     SEC. 35. NEW SECTION. 261J.5 Enforcement.

24     1. Any person may notify the attorney general of a public  
25 institution of higher education's potential violation of section  
26 261J.2. The attorney general may bring an action against a  
27 public institution of higher education for a writ of mandamus to  
28 compel the public institution of higher education to comply with  
29 section 261J.2.

30     2. a. A student enrolled in a public institution of higher  
31 education, or an employee of a public institution of higher  
32 education, who alleges that a public institution of higher  
33 education violated section 261J.2 may bring a civil action  
34 for injunctive relief against the public institution of higher  
35 education to prohibit the public institution of higher education

1 from continuing such violation.

2 b. If a student or employee is the prevailing party in a  
3 civil action instituted pursuant to paragraph "a", all of the  
4 following shall apply:

5 (1) The court shall award reasonable court costs and attorney  
6 fees to the student or employee.

7 (2) The court shall assess a one hundred thousand dollar  
8 civil penalty against the public institution of higher education.  
9 Moneys from the civil penalty provided in this subparagraph shall  
10 be remitted to the treasurer of state for deposit in the general  
11 fund of the state.

12 (3) The public institution of higher education shall  
13 immediately terminate the employment of any employee who is  
14 responsible for the public institution of higher education's  
15 violation of section 261J.2.

16 EXPLANATION

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

19 This bill relates to education, including by modifying  
20 provisions related to trainings and curricula provided by  
21 school districts and prohibited sexual orientation and gender  
22 identity instruction, and implementing prohibitions related to  
23 the diversity, equity, and inclusion efforts of institutions of  
24 higher learning governed by the state board of regents, community  
25 colleges, and public schools.

26 Current Code section 279.74 requires the superintendent of  
27 each school district to ensure that any curriculum or mandatory  
28 staff or student training provided by an employee of the school  
29 district or by a contractor hired by the school district does  
30 not teach, advocate, encourage, promote, or act upon specific  
31 stereotyping and scapegoating toward others on the basis of  
32 demographic group membership or identity.

33 The bill allows the parent or guardian of a student enrolled  
34 in the school district, or an employee of the school district,  
35 who alleges a violation of Code section 279.74(2) by a contractor

1 or teacher to bring a civil action for injunctive relief against  
2 the school district to prohibit the contractor or teacher from  
3 continuing such violation. The bill also allows the parent  
4 or guardian of a student enrolled in the school district,  
5 or an employee of the school district, who alleges that an  
6 administrator knew of a violation of Code section 279.74(2) by  
7 a contractor or teacher but failed to stop such violation to  
8 bring a civil action for injunctive relief against the school  
9 district. If a parent, guardian, or employee is the prevailing  
10 party in that civil action, the bill requires the court to award  
11 reasonable court costs and attorney fees to the parent, guardian,  
12 or employee, and to assess a \$50,000 civil penalty against the  
13 school district. The bill also requires the clerk of court to  
14 send a copy of the court's order to the board of educational  
15 examiners (BOEE). The BOEE is required to revoke the license of a  
16 teacher or administrator who a court finds violated Code section  
17 279.74(2).

18 The bill establishes another enforcement process if no civil  
19 action has been instituted by the parent or guardian of a  
20 student or an employee of the school district. This enforcement  
21 process involves written warnings being issued to the teacher or  
22 administrator by the department of education (DE) and hearings  
23 conducted before the BOEE. If the parent, guardian, or employee  
24 is not satisfied with the result of a hearing conducted before  
25 the BOEE, the bill allows the parent, guardian, or employee  
26 to report the teacher or administrator to the state board  
27 of education or the attorney general for investigation and  
28 further enforcement and to bring a civil action for injunctive  
29 relief against the school district that employs the teacher or  
30 administrator. The bill also allows the parent, guardian, or  
31 employee to report potential violations to the director of the  
32 department of education.

33 Current law prohibits school districts, charter schools, and  
34 innovation zone schools from providing any program, curriculum,  
35 test, survey, questionnaire, promotion, or instruction relating

1 to gender identity or sexual orientation to students in  
2 kindergarten through grade six. The bill allows the parent or  
3 guardian of a student enrolled in the school, or an employee  
4 of the school, who alleges a violation of this prohibition by  
5 a contractor or teacher to bring a civil action for injunctive  
6 relief against the school to prohibit the contractor or teacher  
7 from continuing such violation. The bill also allows the parent  
8 or guardian of a student enrolled in the school, or an employee  
9 of the school, who alleges that an administrator knew of a  
10 violation of the prohibition by a contractor or teacher but  
11 failed to stop such violation to bring a civil action for  
12 injunctive relief against the school district. If a parent,  
13 guardian, or employee is the prevailing party in that civil  
14 action, the bill requires the court to award reasonable court  
15 costs and attorney fees to the parent, guardian, or employee, and  
16 to assess a \$50,000 civil penalty against the school. The bill  
17 also requires the clerk of court to send a copy of the court's  
18 order to the BOEE. The BOEE is required to revoke the license  
19 of a teacher or administrator who a court finds violated this  
20 prohibition.

21 The bill establishes another enforcement process if no civil  
22 action has been instituted by the parent or guardian of a student  
23 or an employee of the school. This enforcement process involves  
24 written warnings being issued to the teacher or administrator  
25 by DE and hearings conducted before the BOEE. If the parent,  
26 guardian, or employee is not satisfied with the result of a  
27 hearing conducted before the BOEE, the bill allows the parent,  
28 guardian, or employee to report the teacher or administrator  
29 to the state board of education or the attorney general for  
30 investigation and further enforcement and to bring a civil action  
31 for injunctive relief against the school that employs the teacher  
32 or administrator. The bill also allows the parent, guardian, or  
33 employee to report potential violations to the director of the  
34 department of education.

35 The bill prohibits school districts, charter schools, and

1 innovation zone schools from establishing, or expending moneys to  
2 establish, sustain, support, or staff, a diversity, equity, and  
3 inclusion office, and from hiring or assigning an employee of the  
4 school, or contracting with a third party, to perform the duties  
5 of a diversity, equity, or inclusion office.

6 The bill allows parents or guardians of a student enrolled  
7 in the school, or an employee of the school, who alleges that  
8 an administrator knew of a violation of the bill's prohibitions  
9 but failed to stop such violation to bring a civil action for  
10 injunctive relief against the school. If a parent, guardian,  
11 or employee is the prevailing party in that civil action, the  
12 bill requires the court to award reasonable court costs and  
13 attorney fees to the parent, guardian, or employee, and to  
14 assess a \$50,000 civil penalty against the school. The bill  
15 also requires the clerk of court to send a copy of the court's  
16 order to the BOEE. The BOEE is required to revoke the license of  
17 an administrator who a court finds knew of a violation of the  
18 bill's prohibitions but failed to report such violation. The  
19 bill establishes another enforcement process if no civil action  
20 has been instituted by the parent or guardian of a student or  
21 an employee of the school. This enforcement process involves  
22 written warnings being issued to the administrator by DE and  
23 hearings conducted before the BOEE. If the parent, guardian,  
24 or employee is not satisfied with the result of a hearing  
25 conducted before the BOEE, the bill allows the parent, guardian,  
26 or employee to report the administrator to the state board of  
27 education or the attorney general for investigation and further  
28 enforcement and to bring a civil action for injunctive relief  
29 against the school district that employs the administrator. The  
30 bill also allows the parent, guardian, or employee to report  
31 potential violations to the director of DE.

32 2024 Iowa Acts, chapter 1152, implemented prohibitions related  
33 to the establishment of a diversity, equity, and inclusion office  
34 at a public institution of higher education governed by the board  
35 of regents and the hiring or education to perform the duties of a

1 diversity, equity, or inclusion office, among other prohibitions.  
2 To enforce these prohibitions, 2024 Iowa Acts, chapter 1152,  
3 allowed any person to notify the attorney general of a public  
4 institution of higher education's potential violation. The  
5 attorney general may bring an action against a public institution  
6 of higher education for a writ of mandamus to compel the public  
7 institution of higher education to comply.

8 The bill includes community colleges within the definition  
9 of "public institution of higher education" in 2024 Iowa Acts,  
10 chapter 1152, so that these restrictions also apply to community  
11 colleges. In addition, the bill authorizes a student enrolled  
12 in a public institution of higher education, or an employee of  
13 a public institution of higher education, who alleges that a  
14 public institution of higher education violated the prohibitions  
15 in 2024 Iowa Acts, chapter 1152, to bring a civil action  
16 for injunctive relief against the public institution of higher  
17 education to prohibit the public institution of higher education  
18 from continuing such violation. If a student or employee is  
19 the prevailing party in the civil action, the bill requires  
20 the court to award reasonable court costs and attorney fees  
21 to the student or employee, and to assess a \$100,000 civil  
22 penalty against the public institution of higher education. The  
23 bill also requires the public institution of higher education  
24 to immediately terminate the employment of any employee who is  
25 responsible for the public institution of higher education's  
26 violation of the prohibitions in 2024 Iowa Acts, chapter 1152.