

**Senate File 517 - Introduced**

SENATE FILE 517  
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SF 221)

**A BILL FOR**

1 An Act relating to child abuse and employees and agents of public  
2 schools and nonpublic schools.

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

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1 Section 1. Section 232.68, Code 2025, is amended by adding  
2 the following new subsections:

3 NEW SUBSECTION. 7A. "Nonpublic school" means the same as  
4 defined in section 280.2.

5 NEW SUBSECTION. 8A. "Public school" means the same as  
6 defined in section 280.2.

7 Sec. 2. Section 232.68, subsection 8, Code 2025, is amended  
8 by adding the following new paragraph:

9 NEW PARAGRAPH. e. An employee or agent of any public school  
10 or nonpublic school.

11 Sec. 3. Section 232.71B, subsection 7, Code 2025, is amended  
12 to read as follows:

13 7. *Facility or school visit.* The assessment may include a  
14 visit to a facility providing care to the child named in the  
15 report or to any public ~~or private~~ school or nonpublic school  
16 subject to the authority of the department of education where  
17 the child named in the report is located. The administrator of  
18 a facility, or a public ~~or private~~ school or nonpublic school  
19 shall cooperate with the child protection worker by providing  
20 confidential access to the child named in the report for the  
21 purpose of interviewing the child, and shall allow the child  
22 protection worker confidential access to other children for the  
23 purpose of conducting interviews in order to obtain relevant  
24 information. The child protection worker may observe a child  
25 named in a report in accordance with the provisions of section  
26 232.68, subsection 3, paragraph "b". A witness shall be present  
27 during an observation of a child. Any child aged ten years of  
28 age or older can terminate contact with the child protection  
29 worker by stating or indicating the child's wish to discontinue  
30 the contact. The immunity granted by section 232.73 applies  
31 to acts or omissions in good faith of administrators and their  
32 facilities or school districts for cooperating in an assessment  
33 and allowing confidential access to a child.

34 Sec. 4. Section 232.71B, Code 2025, is amended by adding the  
35 following new subsections:

1 NEW SUBSECTION. 21. *Board of educational examiners —*  
2 *notice.* The department shall report the results of a child  
3 abuse assessment to the board of educational examiners created in  
4 section 256.146 if all of the following circumstances apply:

5 a. The alleged perpetrator is an employee or agent of any  
6 public school or nonpublic school.

7 b. The alleged perpetrator holds a license, certificate,  
8 authorization, or statement of recognition issued by the board of  
9 educational examiners.

10 c. The department issues a finding that the alleged child  
11 abuse meets the definition of child abuse.

12 NEW SUBSECTION. 22. *School district board of directors and*  
13 *nonpublic school authorities — notice.* The department shall  
14 report the results of a child abuse assessment to the board  
15 of directors of a public school district, or the authorities  
16 in charge of a nonpublic school, if all of the following  
17 circumstances apply:

18 a. The alleged perpetrator is an employee or agent of a  
19 public school under the authority of the board of directors, or  
20 an employee or agent under the authority of the authorities in  
21 charge of a nonpublic school.

22 b. The department issues a finding that the alleged child  
23 abuse meets the definition of child abuse.

24 Sec. 5. NEW SECTION. **232.71E School procedures —**  
25 **rulemaking authority.**

26 1. The department of health and human services, in  
27 consultation with the department of education, shall adopt rules  
28 pursuant to chapter 17A prescribing procedures the board of  
29 directors of each school district and authorities in charge of  
30 each nonpublic school shall adopt, pursuant to section 280.17,  
31 for the handling of reports of child abuse alleged to have been  
32 committed by an employee or agent of a public school or nonpublic  
33 school.

34 2. Rules adopted under this section shall include but not be  
35 limited to all of the following:

1     a. A public school or nonpublic school shall report child  
2 abuse alleged to have been committed by an employee or agent of a  
3 public school or nonpublic school to the department of health and  
4 human services.

5     b. If child abuse alleged to have been committed by an  
6 employee or agent of a public school or a nonpublic school would,  
7 if true, constitute a criminal act harming a child, the public  
8 school or nonpublic school shall also report the alleged child  
9 abuse to law enforcement.

10    Sec. 6. Section 235A.15, subsection 2, paragraph c, Code  
11 2025, is amended by adding the following new subparagraphs:

12    NEW SUBPARAGRAPH. (14) To the board of educational examiners  
13 created in section 256.146, if the data concerns a person that  
14 holds a license, certification, authorization, or statement of  
15 recognition issued by the board of educational examiners.

16    NEW SUBPARAGRAPH. (15) To the board of directors of a public  
17 school district if the data concerns a person employed or being  
18 considered for employment by the public school district.

19    NEW SUBPARAGRAPH. (16) To the authorities in charge of a  
20 nonpublic school as defined in section 280.2 if the data concerns  
21 a person employed or being considered for employment by the  
22 nonpublic school.

23    Sec. 7. Section 256.146, subsection 13, paragraph a, Code  
24 2025, is amended to read as follows:

25    a. The board may deny a license to or revoke the license of a  
26 person upon the board's finding by a preponderance of evidence  
27 that ~~either~~ the person has been convicted of an offense and  
28 the offense directly relates to the duties and responsibilities  
29 of the profession ~~or that there has been a founded report of~~  
30 ~~child abuse against the person.~~ Rules adopted in accordance  
31 with this paragraph shall provide that in determining whether  
32 a person should be denied a license or that a practitioner's  
33 license should be revoked, the board shall consider the nature  
34 and seriousness of the ~~founded abuse or~~ offense in relation  
35 to the position sought, the time elapsed since the offense

1 was committed, the degree of rehabilitation which has taken  
2 place since ~~the incidence of founded abuse or~~ the commission  
3 of the offense, the likelihood that the person will commit the  
4 same ~~abuse or~~ offense again, and the number of ~~founded abuses~~  
5 ~~committed by or~~ criminal convictions of the person involved.

6 Sec. 8. Section 256.146, subsection 13, Code 2025, is amended  
7 by adding the following new paragraph:

8 NEW PARAGRAPH. 0c. The board shall deny or revoke a license,  
9 certification, authorization, or statement of recognition of a  
10 person described by any of the following:

11 (1) The person is in the central registry for child abuse  
12 information established in section 235A.14 as having committed  
13 founded child abuse.

14 (2) The person was found to have committed an act that would  
15 constitute child abuse as defined in section 232.68 in another  
16 state or foreign jurisdiction.

17 Sec. 9. Section 280.17, Code 2025, is amended by striking the  
18 section and inserting in lieu thereof the following:

19 **280.17 Procedures for handling child abuse reports.**

20 1. For purposes of this section:

21 a. "Child abuse" means the same as defined in section 232.68.

22 b. "Child abuse assessment" means a child abuse assessment  
23 under section 232.71B.

24 2. a. The board of directors of a school district and the  
25 authorities in charge of a nonpublic school shall prescribe  
26 procedures in accordance with rules adopted by the department  
27 of health and human services under section 232.71E for handling  
28 reports of child abuse alleged to have been committed by an  
29 employee or agent of the public school or nonpublic school.

30 b. The board of directors of a school district and the  
31 authorities in charge of a nonpublic school shall exercise  
32 due diligence in assisting the department of health and human  
33 services, as requested by the department of health and human  
34 services, with a child abuse assessment related to child abuse  
35 alleged to have been committed by an employee or agent of the

1 public school or nonpublic school.

2 3. The board of directors of a school district and the  
3 authorities in charge of a nonpublic school shall place on  
4 administrative leave an employee or agent of the public school  
5 or nonpublic school who is the subject of an ongoing child abuse  
6 assessment. The employee or agent shall also be prohibited from  
7 entering school property while subject to an ongoing child abuse  
8 assessment.

9 4. The board of directors of a school district and the  
10 authorities in charge of a nonpublic school shall terminate  
11 the employment of an employee or agent of a public school or  
12 nonpublic school if the board of directors or authorities in  
13 charge receive a notice under section 232.71B, subsection 22,  
14 that the employee or agent has committed founded child abuse.

15 EXPLANATION

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

18 This bill relates to child abuse and employees and agents of  
19 public schools and nonpublic schools.

20 Under current law, the definition of "child abuse" in Code  
21 section 232.68 is used for reporting child abuse to the  
22 department of health and human services (HHS), for performing  
23 assessments of child abuse reports, and for making determinations  
24 as to whether a person committed child abuse. With one  
25 exception, the acts or omissions which meet the definition  
26 of "child abuse" only qualify as child abuse when a person  
27 responsible for the care of a child commits the act or omission.  
28 Under current law, the definition of "a person responsible for  
29 the care of a child" does not include an employee or agent of a  
30 public school or nonpublic school.

31 The bill defines "public school" and "nonpublic school" for  
32 purposes of child abuse reporting, and adds employees and agents  
33 of a public school or nonpublic school to the definition of "a  
34 person responsible for the care of a child".

35 The bill requires HHS to report the results of a child

1 abuse assessment to the board of educational examiners (BOEE)  
2 if the alleged perpetrator is an employee or agent (employee)  
3 of any public school or nonpublic school (school); the alleged  
4 perpetrator holds a license, certificate, authorization, or  
5 statement of recognition issued by the BOEE; and HHS issues a  
6 finding that the alleged child abuse meets the definition of  
7 child abuse. The bill contains similar language for required  
8 notice to the board of directors of a public school district  
9 (board) or the authorities in charge of a nonpublic school  
10 (authorities) if the alleged perpetrator is an employee of a  
11 school under the authority of the board or of the authorities.

12 The bill requires HHS to adopt rules, in consultation with the  
13 department of education, to develop minimum procedures the boards  
14 and authorities must adopt for the handling of reports of child  
15 abuse alleged to have been committed by an employee of a school.  
16 Such rules must include but not be limited to requiring schools  
17 to report all child abuse alleged to have been committed by an  
18 employee of a school to HHS; and requiring schools to also report  
19 to law enforcement child abuse alleged to have been committed by  
20 an employee of the school if the alleged child abuse, if true,  
21 would constitute a criminal act harming a child.

22 The bill allows the BOEE to access child abuse disposition  
23 data if the data concerns a person that holds a license,  
24 certification, authorization, or statement of recognition issued  
25 by the BOEE. The bill also allows boards and authorities  
26 the ability to access child abuse disposition data if the data  
27 concerns a person employed or being considered for employment by  
28 the board or authorities.

29 The bill requires the BOEE to deny or revoke the license,  
30 certification, authorization, or statement of recognition of a  
31 person who is in the central registry for child abuse information  
32 as having committed founded child abuse, or was found to have  
33 committed an act that would constitute child abuse in another  
34 state or foreign jurisdiction.

35 The bill requires each board and authorities to prescribe

1 procedures, in accordance with rules adopted by HHS, for the  
2 handling of reports of child abuse alleged to have been committed  
3 by an employee of the school.

4 The bill requires each board and authorities to place an  
5 employee on administrative leave if the employee is the subject  
6 of an ongoing child abuse assessment. The employee shall also  
7 be prohibited from entering school property while the employee is  
8 subject to an ongoing child abuse assessment.

9 The bill requires a board or authorities to terminate the  
10 employment of an employee if the board or authorities receive  
11 notice that HHS has determined the employee has committed founded  
12 child abuse, or found to have committed an act that would  
13 constitute child abuse in another jurisdiction.

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