

**House File 348 - Reprinted**

HOUSE FILE 348  
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HF 8)

(As Amended and Passed by the House March 8, 2023)

**A BILL FOR**

1 An Act prohibiting instruction related to gender identity and  
2 sexual orientation in school districts and charter schools  
3 in kindergarten through grade six.

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

1 Section 1. Section 256.11, subsections 2 and 3, Code 2023,  
2 are amended to read as follows:

3 2. The kindergarten program shall include experiences  
4 designed to develop healthy emotional and social habits and  
5 growth in the language arts and communication skills, as well  
6 as a capacity for the completion of individual tasks, and  
7 protect and increase physical well-being with attention given  
8 to experiences relating to the development of life skills and,  
9 subject to section 279.77, age-appropriate and research-based  
10 human growth and development. A kindergarten teacher shall be  
11 licensed to teach in kindergarten. An accredited nonpublic  
12 school must meet the requirements of **this subsection** only if  
13 the nonpublic school offers a kindergarten program; provided,  
14 however, that section 279.77 shall not apply to a nonpublic  
15 school.

16 3. The following areas shall be taught in grades one through  
17 six: English-language arts, social studies, mathematics,  
18 science, health, ~~age-appropriate and research-based~~  
19 ~~human growth and development~~, physical education, traffic  
20 safety, music, and visual art, and, subject to section  
21 279.77, age-appropriate and research-based human growth and  
22 development. Computer science instruction incorporating  
23 the standards established under section 256.7, subsection  
24 26, paragraph "a", subparagraph (4), shall be offered in  
25 at least one grade level commencing with the school year  
26 beginning July 1, 2023. The health curriculum shall include  
27 the characteristics of communicable diseases including acquired  
28 immune deficiency syndrome. The state board as part of  
29 accreditation standards shall adopt curriculum definitions for  
30 implementing the elementary program.

31 Sec. 2. Section 256E.7, subsection 2, Code 2023, is amended  
32 by adding the following new paragraph:

33 NEW PARAGRAPH. *Oj.* Be subject to and comply with the  
34 requirements of section 279.77 relating to sexual orientation  
35 and gender identity instruction in kindergarten through grade

1 six in the same manner as a school district.

2 Sec. 3. Section 279.50, subsections 1 and 2, Code 2023, are  
3 amended to read as follows:

4 1. ~~Each~~ Subject to section 279.77, each school board shall  
5 provide instruction in kindergarten which gives attention  
6 to experiences relating to life skills and human growth and  
7 development as required in [section 256.11](#). School districts  
8 shall use research provided in [section 256.9, subsection 46](#),  
9 paragraph "b", to evaluate and upgrade their instructional  
10 materials and teaching strategies for human growth and  
11 development.

12 2. Each school board shall provide age-appropriate and  
13 research-based instruction in human growth and development  
14 including instruction regarding human sexuality, self-esteem,  
15 stress management, interpersonal relationships, domestic  
16 abuse, HPV and the availability of a vaccine to prevent HPV,  
17 and acquired immune deficiency syndrome as required in section  
18 256.11, in grades ~~one~~ seven through twelve.

19 Sec. 4. Section 279.50, Code 2023, is amended by adding the  
20 following new subsection:

21 NEW SUBSECTION. 1A. Subject to section 279.77, each  
22 school board shall provide age-appropriate and research-based  
23 instruction in human growth and development including  
24 instruction regarding human sexuality, self-esteem, stress  
25 management, interpersonal relationships, domestic abuse, HPV  
26 and the availability of a vaccine to prevent HPV, and acquired  
27 immune deficiency syndrome as required in section 256.11, in  
28 grades one through six.

29 Sec. 5. NEW SECTION. **279.77 Sexual orientation and gender**  
30 **identity — prohibited instruction.**

31 1. As used in this section:

32 a. "*Gender identity*" means the same as defined in section  
33 216.2.

34 b. "*Sexual orientation*" means the same as defined in section  
35 216.2.

1 2. A school district shall not provide any program,  
2 curriculum, test, survey, questionnaire, promotion, or  
3 instruction relating to gender identity or sexual orientation  
4 to students in kindergarten through grade six.

5 3. *a.* If, as a result of complying with the requirements of  
6 this section, a civil action is instituted against a member of  
7 the board of directors of a school district, a school district,  
8 or an employee of a school district, the attorney general shall  
9 provide legal representation at no cost to the member of the  
10 board of directors of the school district, the school district,  
11 or the employee of a school district in the civil action.

12 *b.* In addition to the expenses of legal representation,  
13 the state shall assume financial responsibility for any other  
14 expenses related to the civil action described in paragraph "a"  
15 incurred by the member of the board of directors of a school  
16 district, the school district, or the employee of the school  
17 district, including any award for attorney fees or court costs  
18 and the loss of any federal funds as a result of the civil  
19 action.