

**House File 389 - Reprinted**

HOUSE FILE 389  
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HF 186)

(As Amended and Passed by the House March 19, 2025)

**A BILL FOR**

- 1 An Act relating to student abuse by school employees.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 DIVISION I  
2 STUDENT ABUSE INVOLVING A SCHOOL EMPLOYEE — DEPARTMENT OF HEALTH  
3 AND HUMAN SERVICES INVESTIGATIONS

4 Section 1. NEW SECTION. **232E.1 Definitions.**

5 As used in this chapter, unless the context otherwise  
6 requires:

7 1. "Board of educational examiners" means the board created  
8 in section 256.146.

9 2. "Department" means the department of health and human  
10 services.

11 3. "Investigation" means the process by which the department  
12 responds to all accepted reports of alleged student abuse.

13 4. "Nonpublic school" means the same as defined in section  
14 280.2.

15 5. "Public school" means the same as defined in section  
16 280.2.

17 6. "Public school district" means a public school district  
18 as described in chapter 274, and includes a charter school under  
19 chapter 256E, or a charter school or an innovation zone school  
20 under chapter 256F.

21 7. "School employee" means any of the following:

22 a. A person employed by a public school or a nonpublic  
23 school.

24 b. A vendor, or an employee of a vendor, that provides goods  
25 or services to a public school or a nonpublic school.

26 c. An agent, or an employee of an agent, of a public school  
27 or a nonpublic school.

28 d. A volunteer under the direction and control of any of the  
29 following:

30 (1) The board of directors or any administrator of a public  
31 school district.

32 (2) The board or authorities in control of a nonpublic  
33 school.

34 (3) The board of directors or administrator of an agency  
35 called upon by a school official to provide services to students

1 in an educational capacity.

2 8. "Student" means a person enrolled in a public school, a  
3 nonpublic school, or a prekindergarten program in a public school  
4 or a nonpublic school.

5 9. "Student abuse" means any of the following which occur on  
6 school grounds during school time, or on or at a school-related  
7 curricular or extracurricular activity:

8 a. Any nonaccidental physical injury, or an injury which does  
9 not match the history provided for how the injury occurred,  
10 suffered by a student as the result of an act or omission of  
11 a school employee, that is not otherwise excluded by section  
12 280.21, subsection 2.

13 b. The commission of a sexual offense with or to a child or  
14 minor student pursuant to chapter 709, section 726.2, or section  
15 728.12, subsection 1, as a result of an act or omission of a  
16 school employee.

17 c. An act or omission of a school employee which allows,  
18 permits, or encourages a child or minor student to engage in an  
19 act prohibited under section 725.1.

20 Sec. 2. NEW SECTION. **232E.2 Investigation of alleged**  
21 **student abuse by school employees — rules.**

22 1. The department shall administer this chapter to provide  
23 for the investigation of reports of alleged student abuse by  
24 school employees as specified in this chapter.

25 2. a. If, during the child abuse intake process under  
26 chapter 232, subchapter 3, part 2, the department receives a  
27 report from an identifiable source and the department determines  
28 the report constitutes an allegation of student abuse involving  
29 a school employee, the department shall notify the board of  
30 directors of the public school district or the authorities  
31 in charge of the nonpublic school associated with the school  
32 employee, and the board of educational examiners, of the  
33 determination.

34 b. Upon notification under paragraph "a", the board of  
35 directors of the public school district or the authorities in

1 charge of the nonpublic school shall place the school employee on  
2 administrative leave and shall prohibit the school employee from  
3 entering school property until the investigation is completed.

4 3. If the department determines the alleged student abuse  
5 constitutes a criminal act, the department shall do all of the  
6 following:

7 a. Immediately refer the matter to, and cooperate in the  
8 investigation with, the appropriate law enforcement agency.

9 b. Notify the board of directors of the public school  
10 district, or the authorities in charge of the nonpublic school,  
11 associated with the school employee of the referral under  
12 paragraph "a".

13 c. If the school employee is licensed, certified, or  
14 authorized by the board of educational examiners, or holds  
15 an active statement of recognition issued by the board of  
16 educational examiners, notify the board of educational examiners  
17 of the referral under paragraph "a".

18 4. Following receipt of a report of alleged student abuse,  
19 the department shall do all of the following:

20 a. Commence an investigation within twenty-four hours of  
21 receipt of the report.

22 b. Complete the investigation within thirty business days of  
23 receipt of the report.

24 5. Upon completion of an investigation, the department shall  
25 submit a written investigation report to all of the following:

26 a. The board of directors of the public school district, or  
27 the authorities in charge of the nonpublic school, associated  
28 with the school employee subject to the investigation.

29 b. The board of educational examiners if the school  
30 employee subject to the investigation is licensed, certified,  
31 or authorized by the board of educational examiners, or holds  
32 an active statement of recognition issued by the board of  
33 educational examiners.

34 6. The department shall adopt rules pursuant to chapter  
35 17A, in consultation with the department of education, to

1 administer this chapter. Rules adopted by the department shall  
2 include rules regarding the intake and investigation processes,  
3 investigation reports, case and investigation record retention  
4 and dissemination, and case disposition.

5 7. The department shall maintain information and data  
6 regarding student abuse reports, investigations, and dispositions  
7 under this chapter separately from information and data regarding  
8 child abuse reports, assessments, and dispositions under chapter  
9 232.

10 DIVISION II

11 STUDENT ABUSE INVOLVING A SCHOOL EMPLOYEE — DEPARTMENT OF  
12 EDUCATION

13 Sec. 3. Section 280.17, Code 2025, is amended by striking the  
14 section and inserting in lieu thereof the following:

15 **280.17 Student abuse investigations — termination of**  
16 **employment.**

17 1. The board of directors of a public school district and  
18 the authorities in charge of a nonpublic school shall comply  
19 with chapter 232E, and shall cooperate with the department of  
20 health and human services during an investigation commenced under  
21 chapter 232E.

22 2. The board of directors of a public school or the  
23 authorities in charge of a nonpublic school shall terminate the  
24 employment of a school employee if the board of directors or  
25 authorities in charge receive a written investigation report  
26 under section 232E.2, subsection 5, indicating the department  
27 of health and human services has determined the school employee  
28 committed student abuse.

29 3. The department of education, in consultation with the  
30 department of health and human services, shall adopt rules  
31 pursuant to chapter 17A, and a model policy, for the handling of  
32 investigations pursuant to chapter 232E.

33 Sec. 4. Section 321.375, subsection 3, paragraph d, Code  
34 2025, is amended to read as follows:

35 d. The commission of or conviction for a public offense as

1 defined by the Iowa criminal code, if the offense is relevant  
2 to and affects driving ability, or if the offense includes  
3 sexual involvement with a minor student with the intent to  
4 commit acts and practices proscribed under sections 709.2 through  
5 709.4, section 709.8, and sections 725.1 through 725.3, or ~~is~~  
6 ~~a violation of the rules of the department of education adopted~~  
7 ~~to implement section 280.17~~ student abuse as defined in section  
8 232E.1.

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