

Senate File 2428 - Reprinted

SENATE FILE 2428
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SF 2044)

(As Amended and Passed by the Senate March 10, 2026)

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:

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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
30 suspend the student, permanently remove the student from a
31 particular class, expel the student, or ~~place~~ locate the student
32 in an alternative learning environment, including a therapeutic
33 classroom, when 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 an oversight review
8 committee that is responsible for determining when a student who
9 was removed from a classroom pursuant to paragraph "i" or "j" may
10 return to the classroom.

11 (2) The oversight 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 administrative employee, mental health professional,
16 or behavioral interventionist who works in the attendance center
17 and who must be selected by the principal of the attendance
18 center.

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

26 (b) The policies must prohibit the principal, or the
27 principal's designee, from returning a student who is removed
28 from the classroom pursuant to subparagraph division (a) to the
29 teacher's classroom without the teacher's consent, unless the
30 oversight review committee determines that the student should be
31 returned to the classroom pursuant to paragraph "h", subparagraph
32 (1).

33 (c) The policies must require the principal, or the
34 principal's designee, to inform the teacher of the disciplinary
35 actions taken against the student removed from the classroom

1 pursuant to subparagraph division (a) as soon as is reasonably
2 possible after the student's removal.

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

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

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

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

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

1 the following criteria are satisfied:

2 (i) The teacher removed the student from the teacher's
3 classroom because the student caused a violent disruption that
4 included the student assaulting the teacher.

5 (ii) The teacher does not consent to allowing the student to
6 return to the teacher's classroom.

7 (3) The policies must require that a student removed from
8 the classroom pursuant to this paragraph be suspended, expelled,
9 or located in an alternative learning environment, including a
10 therapeutic classroom, when appropriate, as determined by the
11 principal of the attendance center in which the classroom is
12 located in accordance with the policies.

13 8. k. The policies must be published on the school
14 district's internet site and in applicable student handbooks.

15 l. The policies must require the principal of an attendance
16 center to make a mental health professional, guidance counselor,
17 or behavioral interventionist available to students, teachers,
18 and other school employees to address the immediate trauma
19 associated with a violent disruption or nonviolent disruption,
20 upon the request of a teacher.

21 2. a. (1) Notwithstanding a policy adopted by the board
22 of directors of the school district pursuant to subsection 1,
23 if a student who has an individualized education program is
24 removed from the classroom pursuant to subsection 1, paragraph
25 "i" or "j", then the student's individualized education program
26 team shall meet expeditiously after the student's removal from
27 the classroom to determine whether an alternative educational
28 location is best for the student; to carry out all manifestation
29 determination review meetings, if required under the federal
30 Individuals with Disabilities Education Act, 20 U.S.C. §1400 et
31 seq.; and to discuss all of the following:

32 (a) Whether the nature or severity of the student's
33 disability is such that education in regular classes with
34 the use of supplementary aids and services cannot be achieved
35 satisfactorily.

1 (b) The appropriateness of the student's current educational
2 programming.

3 (c) Whether adjustments need to be made to the student's
4 individualized education program to address the student's
5 behaviors that led to the violent disruption or nonviolent
6 disruption.

7 (d) Whether the student's current location or an alternative
8 learning environment would provide the student with a free
9 appropriate public education.

10 (e) The accommodations, modifications, and adaptations the
11 student requires to be successful in a general education
12 environment; whether it is possible for these accommodations,
13 modifications, and adaptations to be provided within the general
14 education environment; and the supports that are needed to
15 assist the teacher and other personnel in providing these
16 accommodations, modifications, and adaptations.

17 (f) Whether and to what extent the receipt of special
18 education services and activities in the general education
19 environment will impact the student.

20 (g) Whether and to what extent the provision of special
21 education services and activities in the general education
22 environment will impact other students.

23 (2) The teacher who removed the student from the classroom
24 shall do all of the following:

25 (a) Ensure proper documentation of the removal is maintained
26 and made available to the student's individualized education
27 program team. Proper documentation includes all of the
28 following:

29 (i) Information related to the date of the removal and the
30 beginning and end times of the removal.

31 (ii) A description of the actions of the student before,
32 during, and after the removal.

33 (iii) A description of the actions of the school district
34 employees involved in the removal before, during, and after the
35 removal.

1 (iv) A description of the less restrictive means attempted as
2 an alternative to the removal.

3 (v) A description of future approaches to address the
4 student's behavior, including any consequences or disciplinary
5 actions that may be imposed on the student.

6 (vi) The time and manner by which the school district
7 notified the student's parent or guardian of the removal.

8 (b) Participate in the meeting of the student's
9 individualized education program team described in subparagraph
10 (1). The teacher must also have the opportunity to provide input
11 related to the potential revision of the student's individualized
12 education program.

13 b. (1) A student who has an individualized education program
14 may be temporarily located in an alternative learning environment
15 so long as such location would not constitute a change in
16 placement.

17 (2) A student who has an individualized education program
18 shall be accepted back into the classroom from which the
19 student was removed when the student's individualized education
20 program team has determined that such classroom satisfies the
21 least restrictive environment requirements under the federal
22 Individuals with Disabilities Education Act, 20 U.S.C. §1400 et
23 seq.

24 (3) A student who has an individualized education program may
25 be subject to a policy adopted pursuant to subsection 1 if the
26 student's individualized education program team determines that
27 the student's violent disruptions or nonviolent disruptions are
28 not a manifestation of the student's disability and are not the
29 result of an omission in, misapplication of, or misinterpretation
30 of the student's individualized education program.

31 c. If, after considering the least restrictive environment
32 requirements under the federal Individuals with Disabilities
33 Education Act, 20 U.S.C. §1400 et seq., the student's
34 individualized education program team determines that the nature
35 or severity of the student's disability is such that education

1 in regular classes with the use of supplementary aids and
2 services cannot be achieved satisfactorily, then the student's
3 individualized education program shall be amended to reflect the
4 necessary change in placement.

5 3. a. Notwithstanding a policy adopted by the board of
6 directors of the school district pursuant to subsection 1, if
7 a student who has a plan under section 504 of the federal
8 Rehabilitation Act, 29 U.S.C. §794, is removed from the classroom
9 pursuant to subsection 1, paragraph "i" or "j", then the
10 student's team shall meet expeditiously after the student's
11 removal from the classroom to carry out all manifestation
12 determination review meetings, if required under section 504 of
13 the federal Rehabilitation Act, 29 U.S.C. §794, and to discuss
14 all of the following:

15 (1) Whether adjustments need to be made to the student's plan
16 under section 504 of the federal Rehabilitation Act, 29 U.S.C.
17 §794.

18 (2) The appropriateness of the student's current educational
19 programming, including whether the child may be a child with
20 a disability under the federal Individuals with Disabilities
21 Education Act, 20 U.S.C. §1400 et seq., and should therefore be
22 evaluated for eligibility.

23 b. A student who has a plan under section 504 of the
24 federal Rehabilitation Act, 29 U.S.C. §794, may be subject to
25 a policy adopted pursuant to subsection 1 if the student's team
26 determines that the student's violent disruptions or nonviolent
27 disruptions are not a manifestation of the student's disability
28 and are not the result of an omission in, misapplication of, or
29 misinterpretation of the student's plan under section 504 of the
30 federal Rehabilitation Act, 29 U.S.C. §794.

31 4. Information related to a student's violent disruptions
32 and nonviolent disruptions shall be incorporated, as necessary,
33 into the student's individualized education program, behavioral
34 intervention plan, and other similar documents.

35 5. This section shall not be construed to infringe on any

1 right provided to any student under federal law, including but
2 not limited to any of the following:

3 a. The federal Individuals with Disabilities Education Act,
4 20 U.S.C. §1400 et seq.

5 b. The federal Family Educational Rights and Privacy Act, 20
6 U.S.C. §1232g.

7 c. Section 504 of the federal Rehabilitation Act, 29 U.S.C.
8 §794.

9 d. The federal Americans with Disabilities Act of 1990, 42
10 U.S.C. §12101 et seq.

11 6. For purposes of this section:

12 a. "Nonviolent disruption" includes but is not limited to a
13 disruption to classroom instruction that is a result of any of
14 the following:

15 (1) Disorderly conduct.

16 (2) Abusive or profane language.

17 (3) Bullying, as defined under section 280.28.

18 (4) Repeatedly disruptive behavior.

19 b. "Violent disruption" includes but is not limited to a
20 disruption to classroom instruction that is a result of a threat
21 of violence or an incident of violence that results in any of the
22 following:

23 (1) Injury.

24 (2) Property damage.

25 (3) Assault, as defined under section 708.1.