

House File 2538 - Reprinted

HOUSE FILE 2538
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HF 2122)

(As Amended and Passed by the House March 9, 2026)

A BILL FOR

1 An Act relating to education, including by modifying provisions
2 related to the duties of the department of education, the
3 discipline of students enrolled in school districts, charter
4 schools, and innovation zone schools who exhibit disorderly
5 conduct in the classroom, the responsibilities and powers
6 of the department of education, school district teachers,
7 and other educational staff related to students who have
8 individualized education programs or plans under section
9 504 of the federal Rehabilitation Act, and school district
10 professional development plans, and authorizing teachers to
11 request a meeting of a student's individualized education
12 program team.

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

1 Section 1. Section 256.9, Code 2026, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 80. Develop and distribute to school
4 districts a training program and training materials for members
5 of a student's individualized education program team that is
6 related to the least restrictive environment requirements under
7 the federal Individuals with Disabilities Education Act, 20
8 U.S.C. §1400 et seq.

9 Sec. 2. Section 256.11, subsection 10, unnumbered paragraph
10 1, Code 2026, is amended to read as follows:

11 The state board shall establish, and the department
12 shall use, for the school year commencing July 1, 2021, and
13 each succeeding school year, an accreditation, monitoring,
14 and enforcement process for school districts and nonpublic
15 schools seeking accreditation pursuant to [this subsection](#) and
16 subsections 11 and 12. In applying and taking monitoring and
17 enforcement action under this subsection and subsections 11 and
18 12, the department shall consider the timeliness and accuracy
19 of the information a school district or nonpublic school
20 provides to the department, including potential underreporting
21 or late reporting of data related to school discipline and
22 school safety necessary to monitor and implement the provisions
23 of chapter 280. The process established shall include all of
24 the following requirements:

25 Sec. 3. Section 256E.7, subsection 2, Code 2026, is amended
26 by adding the following new paragraph:

27 NEW PARAGRAPH. *On.* Be subject to and comply with the
28 requirements of section 279.65B relating to the discipline of
29 students who exhibit disorderly conduct in the classroom in the
30 same manner as a school district.

31 Sec. 4. Section 256F.4, subsection 2, Code 2026, is amended
32 by adding the following new paragraph:

33 NEW PARAGRAPH. *v.* Be subject to and comply with the
34 requirements of section 279.65B relating to the discipline of
35 students who exhibit disorderly conduct in the classroom in the

1 same manner as a school district.

2 Sec. 5. Section 279.65A, subsection 3, Code 2026, is amended
3 to read as follows:

4 3. The policies must be consistent with ~~the~~ all of the
5 following:

6 a. The provisions of chapter 256B, and the administrative
7 rules adopted by the state board for purposes of chapter 256B,
8 the.

9 b. The federal Individuals with Disabilities Education Act,
10 20 U.S.C. §1400 et seq., ~~and the~~

11 c. The federal Rehabilitation Act of 1973, as amended and
12 codified in 29 U.S.C. §701 et seq.

13 d. Section 279.65B.

14 Sec. 6. NEW SECTION. **279.65B Discipline of students for**
15 **disorderly conduct.**

16 1. As used in this section:

17 a. "*Disorderly conduct*" means intentional conduct to which
18 any of the following applies:

19 (1) Constitutes violent behavior or a threat of violent
20 behavior.

21 (2) Disrupts, disturbs, or interferes with any services
22 provided by the school district.

23 (3) Disturbs the peace, order, or discipline within the
24 classroom.

25 b. "*Principal*" means the same as defined in section 256.145.
26 "*Principal*" includes all of the following:

27 (1) An assistant principal.

28 (2) A vice principal.

29 (3) An administrator who is responsible for the day-to-day
30 operations of an attendance center.

31 c. "*Teacher*" means the same as defined in section 256.145.

32 2. a. A teacher may exclude from the teacher's classroom
33 and place under the supervision of the principal any student
34 who does any of the following while in the teacher's classroom:

35 (1) Engages in disorderly conduct.

1 (2) Threatens, abuses, intimidates, or attempts to
2 intimidate another student or any school employee.

3 (3) Uses abusive or profane language.

4 b. (1) A student who is enrolled in kindergarten through
5 grade five, and who was excluded from a teacher's classroom
6 pursuant to paragraph "a", shall not be readmitted to the
7 teacher's classroom until after the principal and teacher meet
8 to discuss the readmission of the student.

9 (2) A student who is enrolled in grades six through twelve,
10 and who was excluded from a teacher's classroom pursuant
11 to paragraph "a", shall not be readmitted to the teacher's
12 classroom until after the principal and teacher meet to discuss
13 the readmission of the student. Such student shall not be
14 readmitted to the teacher's classroom until, at the earliest,
15 the immediately subsequent school day.

16 3. a. If the principal determines that disciplinary
17 action should be taken against a student who was excluded
18 from a teacher's classroom pursuant to subsection 2, then the
19 principal shall do all of the following:

20 (1) Take such disciplinary action.

21 (2) Provide written and, if possible, electronic notice of
22 such disciplinary action to the student's parent or guardian.

23 b. (1) If a student was excluded from a teacher's classroom
24 for the remainder of a school day pursuant to subsection 2
25 two or more times in a semester, or the trimester or quarter
26 equivalent, then the principal shall discipline the student by
27 doing any of the following:

28 (a) Assigning the student to either in-school or
29 out-of-school suspension.

30 (b) Recommending to the superintendent that the student be
31 located in an alternative learning environment that has been
32 approved by the superintendent.

33 (2) If a student was excluded from a teacher's classroom
34 pursuant to subsection 2 because the student's conduct,
35 statements, or other actions were severe or pervasive, and,

1 if requested by the teacher, then the principal shall impose
2 the maximum amount of punishment applicable to such conduct,
3 statements, or other actions as provided in policies adopted
4 by the board of directors of the school district, including
5 placing the student in an alternative learning environment that
6 has been approved by the superintendent.

7 4. a. The board of directors of a school district shall
8 require each attendance center within the school district
9 to create an oversight review committee that is responsible
10 for developing a policy, consistent with this section, that
11 establishes when a student who has been excluded from the
12 classroom pursuant to subsection 2 may be readmitted to the
13 classroom.

14 b. The oversight review committee must consist of all of the
15 following members:

16 (1) Two teachers who work in the attendance center and who
17 must be selected by the teachers of the attendance center.

18 (2) One professional staff member who works in the
19 attendance center and who must be selected by the principal of
20 the attendance center.

21 5. If a student who has an individualized education program
22 was excluded from a teacher's classroom pursuant to subsection
23 2, then all of the following shall apply:

24 a. (1) All of the following individuals shall, if
25 practicable, participate in the meeting of the student's
26 individualized education program team that takes place
27 immediately subsequent to the student's exclusion from the
28 classroom:

29 (a) The teacher who excluded the student from the classroom
30 pursuant to subsection 2.

31 (b) Any teacher who is not described in subparagraph
32 division (a) and who provides classroom instruction to the
33 student.

34 (c) Any other employee of the school district who does not
35 hold a license issued by the board of educational examiners,

1 including para-educators and bus drivers, and who was directly
2 involved in the student's conduct, statements, or other actions
3 that led to the student's exclusion from the classroom.

4 (2) If a teacher or other employee is not able to
5 participate in the meeting of the student's individualized
6 education program team that takes place immediately subsequent
7 to the student's exclusion from the classroom, as required
8 under subparagraph (1), then the teacher or other employee
9 shall review the minutes or summary of the meeting prepared by
10 the individualized education program team pursuant to paragraph
11 "b", subparagraph (2), and shall provide written notice to the
12 student's individualized education program team indicating that
13 the teacher or other employee has read the minutes or summary.

14 b. (1) In the meeting of the student's individualized
15 education program team that takes place immediately subsequent
16 to the student's exclusion from the classroom, the student's
17 individualized education program team shall discuss all of the
18 following:

19 (a) The appropriateness of the student's current
20 educational programming.

21 (b) Whether adjustments need to be made to the student's
22 individualized education program to address the student's
23 behaviors.

24 (c) Whether the student's current placement or an
25 alternative learning environment would best provide the student
26 with a free appropriate public education.

27 (d) The accommodations, modifications, and adaptations that
28 are required to allow the student to be successful in a general
29 education setting, what supports are needed to assist the
30 teacher and other school district employees in providing those
31 accommodations, modifications, and adaptations, and whether it
32 is possible for the school district to provide those supports,
33 accommodations, modifications, and adaptations.

34 (e) Whether and to what extent the provision of special
35 education services and activities in the general education

1 environment will impact the student and the other students in
2 the classroom.

3 (2) If a teacher or other employee is not able to
4 participate in the meeting of the student's individualized
5 education program team that takes place immediately subsequent
6 to the student's exclusion from the classroom, as required
7 under paragraph "a", subparagraph (1), then the student's
8 individualized education program team shall prepare minutes or
9 a summary of the meeting and provide the minutes or summary to
10 the teacher or other employee.

11 c. If the student was excluded from the classroom five or
12 more times within any fifteen-consecutive-school-day period,
13 then the student's individualized education program team shall
14 meet to discuss the student's behavior.

15 6. a. A teacher may appeal all of the following to the
16 board of directors of the school district:

17 (1) A principal's refusal to allow the teacher to exclude a
18 student from the teacher's classroom pursuant to subsection 2,
19 paragraph "a".

20 (2) A principal's readmission of a student to the teacher's
21 classroom prior to the time such student should have been
22 readmitted pursuant to subsection 2, paragraph "b".

23 b. The board of directors of a school district shall not
24 take any disciplinary action against a teacher for exercising
25 the teacher's appeal rights described in paragraph "a". For
26 purposes of this paragraph, "disciplinary action" includes
27 termination of employment or the contractual relationship,
28 suspension from employment, demotion, financial penalties,
29 failing to take action regarding a teacher's promotion
30 or proposed promotion, failing to provide an advantage in
31 employment or the contractual relationship, and written or
32 verbal reprimands.

33 c. All of the following shall apply if the board of
34 directors of a school district violates paragraph "b":

35 (1) The teacher may enforce the teacher's rights under this

1 section through a civil action.

2 (2) The board of directors of the school district is liable
3 to the aggrieved teacher for affirmative relief including
4 reinstatement, with or without back pay, civil damages in an
5 amount not to exceed three times the annual wages and benefits
6 received by the aggrieved teacher prior to the violation of
7 paragraph "b", and any other equitable relief the court deems
8 appropriate, including attorney fees and costs.

9 (3) When the board of directors of a school district
10 commits, is committing, or proposes to commit an act in
11 violation of paragraph "b", an injunction may be granted through
12 an action in district court to prohibit the board of directors
13 of the school district from continuing such acts. The action
14 for injunctive relief may be brought by an aggrieved teacher,
15 the county attorney, or the person providing human resource
16 management for the board of directors of the school district.

17 7. The board of directors of a school district shall
18 immediately grant a teacher a leave of absence for physical and
19 mental recovery with full pay for not more than five days if
20 the teacher is injured due to a student's disorderly conduct;
21 provided, however, that the board of directors of a school
22 district may grant a teacher such a leave of absence for six
23 or more days if the teacher provides to the board of directors
24 of the school district a note from a physician indicating that
25 such a leave of absence is needed.

26 8. Each principal shall carry out the principal's
27 responsibilities under this section in an expeditious manner,
28 and shall do all of the following in an expeditious manner:

29 a. Carry out all manifestation determination review
30 meetings, as required under section 504 of the federal
31 Rehabilitation Act, 29 U.S.C. §794.

32 b. Impose the appropriate amount of punishment in accordance
33 with policies adopted by the board of directors of the school
34 district and federal law.

35 c. Perform functional behavior assessments as needed.

1 *d.* Adjust behavioral intervention plans as needed.

2 9. This section shall not be construed to do any of the
3 following:

4 *a.* Infringe on any right provided to any student under
5 federal law, including but not limited to all of the following:

6 (1) Section 504 of the federal Rehabilitation Act, 29 U.S.C.
7 §794.

8 (2) The federal Individuals with Disabilities Education
9 Act, 20 U.S.C. §1400 et seq.

10 (3) The federal Family Educational Rights and Privacy Act,
11 20 U.S.C. §1232g.

12 (4) The federal Americans with Disabilities Act of 1990, 42
13 U.S.C. §12101 et seq.

14 *b.* Supersede, abrogate, or preempt any federal law, rule,
15 or regulation.

16 *c.* Relieve any person from any duties, obligations, or
17 requirements imposed by federal law.

18 Sec. 7. NEW SECTION. **279.89 Teacher authority to request a**
19 **meeting of a student's individualized education program team.**

20 1. For purposes of this section:

21 *a.* "Administrator" means the same as defined in section
22 256.145.

23 *b.* "Teacher" means the same as defined in section 256.145.

24 2. A teacher may request a meeting of a student's
25 individualized education program team at any time by submitting
26 an electronic or written request to an administrator.

27 3. An administrator may deny a teacher's request for a
28 meeting of a student's individualized education program team
29 submitted pursuant to subsection 2; provided, however, that
30 such a denial must satisfy all of the following requirements:

31 *a.* Be provided to the teacher in writing.

32 *b.* Describe why applicable federal law does not require the
33 meeting of the student's individualized education program team.

34 Sec. 8. NEW SECTION. **279.90 Individualized education**
35 **programs and section 504 plan requirements.**

1 1. *a.* The board of directors of each school district shall
2 ensure all of the following:

3 (1) That each student's individualized education program
4 is accessible to, and read by, each school district employee
5 who is responsible for the implementation of the student's
6 individualized education program, including regular education
7 teachers, special education teachers, and any other service
8 providers.

9 (2) Each teacher and service provider described in
10 subparagraph (1) is informed of all of the following:

11 (a) The teacher's or service provider's specific
12 responsibilities related to implementing the student's
13 individualized education program.

14 (b) The specific accommodations, modifications, and
15 supports that must be provided for the student in accordance
16 with the student's individualized education program.

17 *b.* After a regular education teacher has read a student's
18 individualized education program pursuant to paragraph "a",
19 the regular education teacher shall provide written notice
20 to the special education teacher who is on the student's
21 individualized education program team indicating that the
22 regular education teacher has read the individualized education
23 program.

24 2. Each teacher employed by the school district who teaches
25 a student who has a plan under section 504 of the federal
26 Rehabilitation Act, 29 U.S.C. §794, shall read the plan. After
27 the teacher has read the plan, the teacher shall provide
28 written notice to any special education teacher who provides
29 special education services to the student, or to the principal
30 of the attendance center, indicating that the teacher has read
31 the plan.

32 3. At least one para-educator or other employee of the
33 school district who assists a teacher in providing classroom
34 instruction to a student who has an individualized education
35 program, or to a student who has a plan under section 504 of

1 the federal Rehabilitation Act, 29 U.S.C. §794, shall attend
 2 all meetings related to the student's individualized education
 3 program or plan under section 504 of the federal Rehabilitation
 4 Act, 29 U.S.C. §794. If practicable, meetings related to
 5 a student's individualized education program or plan under
 6 section 504 of the federal Rehabilitation Act, 29 U.S.C. §794,
 7 that a para-educator or other employee is required to attend
 8 pursuant to this subsection shall take place during normal
 9 business hours.

10 4. The board of directors of each school district shall
 11 provide training to all members of a student's individualized
 12 education program team related to the least restrictive
 13 environment requirements under the federal Individuals with
 14 Disabilities Education Act, 20 U.S.C. §1400 et seq., that
 15 is based on the training program and training materials
 16 distributed by the director of the department of education to
 17 the school district pursuant to section 256.9, subsection 80.

18 Sec. 9. Section 284.6, subsection 3, Code 2026, is amended
 19 to read as follows:

20 3. A school district shall develop a district professional
 21 development plan. The district professional development plan
 22 ~~shall include~~ must satisfy all of the following requirements:

23 a. Include a description of the means by which the school
 24 district will provide access to all teachers in the district to
 25 professional development programs or offerings that meet the
 26 requirements of subsection 1. ~~The plan shall align~~

27 b. Align all professional development with the school
 28 district's long-range student learning goals and the Iowa
 29 teaching standards. ~~The plan shall indicate~~

30 c. Indicate the school district's approved professional
 31 development provider or providers.

32 d. Include programs and offerings for all teachers to
 33 support serving students with disabilities.

34 e. Include information related to all of the following:

35 (1) The general requirements related to providing a free

1 appropriate public education, including the school district's
2 obligation to identify and evaluate a student who may have a
3 disability.

4 (2) The provision of supports and services through
5 a student's individualized education program, including
6 each individual teacher's responsibilities relating to the
7 development and implementation of a student's individualized
8 education program.

9 (3) The general requirements related to providing education
10 to a student with a disability consistent with the least
11 restrictive environment requirements under the federal
12 Individuals with Disabilities Education Act, 20 U.S.C. §1400
13 et seq.

14 Sec. 10. STATE MANDATE FUNDING SPECIFIED. In accordance
15 with section 25B.2, subsection 3, the state cost of requiring
16 compliance with any state mandate included in this Act shall
17 be paid by a school district from state school foundation aid
18 received by the school district under section 257.16. This
19 specification of the payment of the state cost shall be deemed
20 to meet all of the state funding-related requirements of
21 section 25B.2, subsection 3, and no additional state funding
22 shall be necessary for the full implementation of this Act
23 by and enforcement of this Act against all affected school
24 districts.