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:

Section 1. Section 256.9, subsection 68, Code 2026, is amended to read as follows:

68. Develop and distribute to school districts and charter schools model policies that, if adopted by a school district or charter school, would satisfy the school district's or charter school's responsibilities under section 279.65A relating to the discipline of a student for ~~making a threat of violence or causing an incident of violence that results in injury or property damage or assault~~ causing a violent or nonviolent disruption.

Sec. 2. Section 256E.7, subsection 2, paragraph m, Code 2026, is amended to read as follows:

m. Be subject to and comply with the requirements of section 279.65A relating to the adoption of policies related to the discipline of a student ~~for making a threat of violence or causing an incident of violence that results in injury or property damage or assault~~ who causes a violent or nonviolent disruption in the same manner as a school district.

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

279.65A Discipline of students who ~~make threats of violence or cause incidents of violence~~ cause violent or nonviolent disruptions —— teacher authority.

1. The board of directors of each school district shall adopt, in collaboration with teachers and administrative staff employed by the school district, policies for different grade levels that describe how a school district may discipline a student for ~~making a threat of violence or causing an incident of violence that results in injury or property damage or assault~~ causing a violent disruption or nonviolent disruption. All of the following shall apply to the policies:

~~1.~~ *a.* The policies must incorporate strategies that are designed to correct the student's behavior.

~~2.~~ *b.* The policies must provide for parent or guardian conferences, counseling sessions, or mental health counseling

sessions, when appropriate. The policies must provide that the school district must receive the prior written consent of the student's parent or guardian before requiring the student to participate in a counseling session or a mental health counseling session.

~~3.~~ *c.* The policies must be consistent with ~~the~~ all of the following:

(1) The provisions of chapter 256B~~, the~~ and the administrative rules adopted by the state board for purposes of chapter 256B~~, the federal~~.

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

(3) The federal Rehabilitation Act of 1973, as amended and codified in 29 U.S.C. §701 et seq.

(4) The federal Family Educational Rights and Privacy Act, 20 U.S.C. §1232g et seq.

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

~~4.~~ *d.* The policies must provide for escalating levels of discipline each time the student ~~makes a threat of violence or causes an incident of violence that results in injury or property damage or assault~~ causes a violent disruption or nonviolent disruption.

~~5.~~ *e.* The policies must allow for the school district to select the level of discipline that the school district determines corresponds to the severity of the ~~threat of violence or incident of violence~~ violent disruption or nonviolent disruption.

~~6.~~ *f.* The policies must allow the school district to suspend the student, permanently remove the student from a particular class, expel the student, or ~~place~~ locate the student in an alternative learning environment, including a therapeutic classroom, when appropriate.

~~7.~~ *g.* The policies must require an individualized education program meeting if the student who ~~made the threat of violence~~

~~or caused the incident of violence that resulted in injury or property damage or assault~~ caused a violent disruption or nonviolent disruption, or who was removed from the classroom pursuant to this subsection, has an individualized education program.

h. (1) The policies must require each attendance center within the school district to create an oversight review committee that is responsible for determining when a student who was removed from a classroom pursuant to paragraph "*i*" or "*j*" may return to the classroom.

(2) The oversight review committee must consist of all of the following members:

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

(b) One administrative employee, mental health professional, or behavioral interventionist who works in the attendance center and who must be selected by the principal of the attendance center.

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

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

(c) The policies must require the principal, or the principal's designee, to inform the teacher of the disciplinary 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
6 the 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
12 or classrooms are located; a qualified guidance counselor
13 licensed by the board of educational examiners under chapter
14 256, subchapter VII, part 3; the student's parent or legal
15 guardian, if the student is not an emancipated minor; and the
16 student shall participate in a meeting to discuss the student's
17 nonviolent disruptions and to establish a behavioral plan and
18 a course of discipline to correct the student's behavior,
19 which may include locating the student in an alternative
20 learning environment, including a therapeutic classroom, when
21 appropriate.
22 *j.* (1) The policies must require a teacher to remove a
23 student who causes a violent disruption from the teacher's
24 classroom and place the student under the supervision of the
25 principal of the attendance center in which the classroom is
26 located, or the principal's designee.
27 (2) (a) The policies must prohibit the principal, or
28 the principal's designee, from returning a student who is
29 removed from the classroom pursuant to subparagraph (1) to
30 the teacher's classroom without the teacher's consent, unless
31 the oversight review committee determines that the student
32 should be returned to the classroom pursuant to paragraph "*h*",
33 subparagraph (1).
34 (b) Notwithstanding paragraph "*h*", subparagraph (1), and
35 subparagraph division (a), the policies must provide that the

1 oversight review committee shall not have the authority to
2 require a student to return to a teacher's classroom if all of
3 the following criteria are satisfied:
4 (i) The teacher removed the student from the teacher's
5 classroom because the student caused a violent disruption that
6 included the student assaulting the teacher.
7 (ii) The teacher does not consent to allowing the student to
8 return to the teacher's classroom.
9 (3) The policies must require that a student removed
10 from the classroom pursuant to this paragraph be suspended,
11 expelled, or located in an alternative learning environment,
12 including a therapeutic classroom, when appropriate, as
13 determined by the principal of the attendance center in which
14 the classroom is located in accordance with the policies.
15 ~~8.~~ *k.* The policies must be published on the school
16 district's internet site and in applicable student handbooks.
17 *l.* The policies must require the principal of an attendance
18 center to make a mental health professional, guidance
19 counselor, or behavioral interventionist available to students,
20 teachers, and other school employees to address the immediate
21 trauma associated with a violent disruption or nonviolent
22 disruption, upon the request of a teacher.
23 2. *a.* (1) Notwithstanding a policy adopted by the board
24 of directors of the school district pursuant to subsection 1,
25 if a student who has an individualized education program is
26 removed from the classroom pursuant to subsection 1, paragraph
27 *"i"* or *"j"*, then the student's individualized education
28 program team shall meet expeditiously after the student's
29 removal from the classroom to determine whether an alternative
30 educational location is best for the student; to carry out all
31 manifestation determination review meetings, if required under
32 the federal Individuals with Disabilities Education Act, 20
33 U.S.C. §1400 et seq.; and to discuss all of the following:
34 (a) Whether the nature or severity of the student's
35 disability is such that education in regular classes with the

1 use of supplementary aids and services cannot be achieved
2 satisfactorily.
3 (b) The appropriateness of the student's current
4 educational programming.
5 (c) Whether adjustments need to be made to the student's
6 individualized education program to address the student's
7 behaviors that led to the violent disruption or nonviolent
8 disruption.
9 (d) Whether the student's current location or an
10 alternative learning environment would provide the student with
11 a free appropriate public education.
12 (e) The accommodations, modifications, and adaptations
13 the student requires to be successful in a general education
14 environment; whether it is possible for these accommodations,
15 modifications, and adaptations to be provided within the
16 general education environment; and the supports that are needed
17 to assist the teacher and other personnel in providing these
18 accommodations, modifications, and adaptations.
19 (f) Whether and to what extent the receipt of special
20 education services and activities in the general education
21 environment will impact the student.
22 (g) Whether and to what extent the provision of special
23 education services and activities in the general education
24 environment will impact other students.
25 (2) The teacher who removed the student from the classroom
26 shall do all of the following:
27 (a) Ensure proper documentation of the removal is
28 maintained and made available to the student's individualized
29 education program team. Proper documentation includes all of
30 the following:
31 (i) Information related to the date of the removal and the
32 beginning and end times of the removal.
33 (ii) A description of the actions of the student before,
34 during, and after the removal.
35 (iii) A description of the actions of the school district

1 employees involved in the removal before, during, and after the
2 removal.
3 (iv) A description of the less restrictive means attempted
4 as an alternative to the removal.
5 (v) A description of future approaches to address the
6 student's behavior, including any consequences or disciplinary
7 actions that may be imposed on the student.
8 (vi) The time and manner by which the school district
9 notified the student's parent or guardian of the removal.
10 (b) Participate in the meeting of the student's
11 individualized education program team described in subparagraph
12 (1). The teacher must also have the opportunity to provide
13 input related to the potential revision of the student's
14 individualized education program.
15 *b.* (1) A student who has an individualized education
16 program may be temporarily located in an alternative learning
17 environment so long as such location would not constitute a
18 change in placement.
19 (2) A student who has an individualized education program
20 shall be accepted back into the classroom from which the
21 student was removed when the student's individualized education
22 program team has determined that such classroom satisfies the
23 least restrictive environment requirements under the federal
24 Individuals with Disabilities Education Act, 20 U.S.C. §1400
25 et seq.
26 (3) A student who has an individualized education program
27 may be subject to a policy adopted pursuant to subsection
28 1 if the student's individualized education program team
29 determines that the student's violent disruptions or nonviolent
30 disruptions are not a manifestation of the student's disability
31 and are not the result of an omission in, misapplication of,
32 or misinterpretation of the student's individualized education
33 program.
34 *c.* If, after considering the least restrictive environment
35 requirements under the federal Individuals with Disabilities

1 Education Act, 20 U.S.C. §1400 et seq., the student's
2 individualized education program team determines that the
3 nature or severity of the student's disability is such that
4 education in regular classes with the use of supplementary
5 aids and services cannot be achieved satisfactorily, then the
6 student's individualized education program shall be amended to
7 reflect the necessary change in placement.
8 3. *a.* Notwithstanding a policy adopted by the board of
9 directors of the school district pursuant to subsection 1,
10 if a student who has a plan under section 504 of the federal
11 Rehabilitation Act, 29 U.S.C. §794, is removed from the
12 classroom pursuant to subsection 1, paragraph *"i"* or *"j"*, then
13 the student's team shall meet expeditiously after the student's
14 removal from the classroom to carry out all manifestation
15 determination review meetings, if required under section 504 of
16 the federal Rehabilitation Act, 29 U.S.C. §794, and to discuss
17 all of the following:
18 (1) Whether adjustments need to be made to the student's
19 plan under section 504 of the federal Rehabilitation Act, 29
20 U.S.C. §794.
21 (2) The appropriateness of the student's current
22 educational programming, including whether the child may be
23 a child with a disability under the federal Individuals with
24 Disabilities Education Act, 20 U.S.C. §1400 et seq., and should
25 therefore be evaluated for eligibility.
26 *b.* A student who has a plan under section 504 of the
27 federal Rehabilitation Act, 29 U.S.C. §794, may be subject to a
28 policy adopted pursuant to subsection 1 if the student's team
29 determines that the student's violent disruptions or nonviolent
30 disruptions are not a manifestation of the student's disability
31 and are not the result of an omission in, misapplication of, or
32 misinterpretation of the student's plan under section 504 of
33 the federal Rehabilitation Act, 29 U.S.C. §794.
34 4. Information related to a student's violent disruptions
35 and nonviolent disruptions shall be incorporated, as necessary,

1 into the student's individualized education program, behavioral
2 intervention plan, and other similar documents.
3 5. This section shall not be construed to infringe on any
4 right provided to any student under federal law, including but
5 not limited to any of the following:
6 *a.* The federal Individuals with Disabilities Education Act,
7 20 U.S.C. §1400 et seq.
8 *b.* The federal Family Educational Rights and Privacy Act,
9 20 U.S.C. §1232g.
10 *c.* Section 504 of the federal Rehabilitation Act, 29 U.S.C.
11 §794.
12 *d.* The federal Americans with Disabilities Act of 1990, 42
13 U.S.C. §12101 et seq.
14 6. For purposes of this section:
15 *a.* *"Nonviolent disruption"* includes but is not limited to a
16 disruption to classroom instruction that is a result of any of
17 the following:
18 (1) Disorderly conduct.
19 (2) Abusive or profane language.
20 (3) Bullying, as defined under section 280.28.
21 (4) Repeatedly disruptive behavior.
22 *b.* *"Violent disruption"* includes but is not limited to
23 a disruption to classroom instruction that is a result of a
24 threat of violence or an incident of violence that results in
25 any of the following:
26 (1) Injury.
27 (2) Property damage.
28 (3) Assault, as defined under section 708.1.