



[HF 604](#) – Education, Disruptive Students and Teacher Complaints (LSB2259HV)
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Fiscal Note Version – New

Description

[House File 604](#) makes a number of changes to how school districts handle discipline, professional development, and employee complaints.

If a school district or charter school requires an employee to take part in a particular professional development program, the Bill requires the district or school to provide notice to the employee indicating the section of the Iowa Code, State Board of Education rules, or Board of Educational Examiners rules that require the employee’s participation.

The Bill permits teachers to remove disruptive students from a classroom under the supervision of a school resource officer or lead administrator. The Bill requires school districts, accredited nonpublic schools, and charter schools to do the following when students are removed from the classroom for being a disruption:

- After the first removal of a student in a semester or semester equivalent, the school is required to facilitate a counseling session between the student and a school counselor and place the student in one school day of in-school suspension.
- After the second removal of a student in a semester or semester equivalent, the school is required to facilitate a counseling session between the student and a school counselor and place the student in five school days of in-school suspension.
- After the third removal of a student in a semester or semester equivalent, the school is required to permanently expel the student from the teacher’s class without any credit for the course.

The Bill requires any teacher employed by a school district or accredited nonpublic school to notify the parent or guardian of a student if the teacher witnesses a student suffer bodily injury.

Finally, the Bill allows the State Ombudsman to investigate, upon complaint, any complaint received by a licensed school official related to violence in the classroom, on school property, and any other violations of State law. The Ombudsman is required to maintain secrecy in respect to the identities of the complainants. The Bill also prohibits school districts from taking any disciplinary action against any school employee or contractor who makes a complaint, including to the Ombudsman.

Background

Under Iowa Code chapter [2C](#), the State Ombudsman may accept a complaint from any source regarding any administrative action of any agency, including school districts. The Bill specifies that the Ombudsman may investigate school violence and other violations of State law on school grounds “upon complaint.” Iowa Code chapter 2C also allows the Ombudsman to investigate more than violations of the law, including any administrative action that might be:

- Contrary to law or regulation.
- Unreasonable, unfair, oppressive, or inconsistent with the general course of an agency’s functioning, even though in accordance with law.

- Based on a mistake of law or arbitrary in ascertainties of fact.
- Based on improper motivation or irrelevant consideration.
- Unaccompanied by an adequate statement of reasons.

According to the Department of Education, there were 63,667 instances of students being removed from classrooms in the 2021-2022 school year. Of those, approximately 36,970 (58.1%) involved violence or a potential violation of Iowa law.

Assumptions

- An entry-level Assistant Ombudsman 1 can handle approximately 400 cases per year.
- The salary and benefits for an entry-level Assistant Ombudsman 1 is approximately \$89,000 per year.
- It is not possible to estimate the number of cases of removal that would be reported to the Ombudsman. For the purposes of this estimate, between 1.0% and 4.0% of classroom removals may be reported to and require investigation by the Ombudsman.

Fiscal Impact

There is no fiscal impact to school districts from the provisions regarding professional development programs or school discipline.

The estimated cost to the State of the provisions regarding the Ombudsman is between \$89,000 and \$356,000 per year to investigate between 350 and 1,500 cases. For every 1.0% of the total cases of removal for violence or potential violation of the law that are reported to the State Ombudsman, one additional full-time equivalent (FTE) position would be required at a cost of \$89,000 per year.

Sources

Office of Ombudsman
Department of Education

/s/ Jennifer Acton

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The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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