

House File 865 - Introduced

HOUSE FILE 865
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HF 149)

A BILL FOR

1 An Act modifying provisions related to the harassment or
2 bullying of students enrolled in school districts or
3 accredited nonpublic schools.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 279.10, subsection 2, paragraph b, Code
2 2025, is amended to read as follows:

3 b. An attendance center or school authorized to maintain
4 a year-round calendar must serve all students attending the
5 school and shall not be limited based on student achievement or
6 based on the trait or characteristic of the student as defined
7 in section 280.28, Code 2024.

8 Sec. 2. Section 280.28, subsection 2, paragraph b,
9 unnumbered paragraph 1, Code 2025, is amended to read as
10 follows:

11 "*Harassment*" and "*bullying*" shall be construed to mean any
12 repeated and targeted electronic, written, verbal, or physical
13 act or conduct toward a student ~~which is based on any actual or~~
14 ~~perceived trait or characteristic of the student and which that~~
15 creates an objectively hostile school environment that meets
16 one or more of the following conditions:

17 Sec. 3. Section 280.28, subsection 2, paragraph c, Code
18 2025, is amended by striking the paragraph.

19 EXPLANATION

20 The inclusion of this explanation does not constitute agreement with
21 the explanation's substance by the members of the general assembly.

22 This bill modifies provisions related to the harassment or
23 bullying of students enrolled in school districts or accredited
24 nonpublic schools.

25 Current Code section 280.28 requires school districts and
26 accredited nonpublic schools to adopt a policy declaring
27 harassment and bullying in schools, on school property, and at
28 any school function, or school-sponsored activity, regardless
29 of its location, as against state and school policy. Current
30 Code section 280.28 defines "harassment" and "bullying" to mean
31 any electronic, written, verbal, or physical act or conduct
32 toward a student which is based on any actual or perceived
33 trait or characteristic of the student and which creates an
34 objectively hostile school environment that meets one or
35 more of certain specified conditions. The bill modifies the

1 definition of "harassment" and "bullying" to mean any repeated
2 and targeted electronic, written, verbal, or physical act or
3 conduct toward a student that creates an objectively hostile
4 school environment that meets one or more of certain specified
5 conditions.

6 The definitions of "harassment" and "bullying" used in
7 Code section 280.28 are referenced in Code sections 279.82
8 (intra-district enrollment), 279.83 (notice to parents
9 or guardians related to physical injuries, harassment, or
10 bullying), and 282.18 (open enrollment).

11 The bill strikes the definition of "trait or characteristic
12 of the student" from Code section 280.28. Code section
13 279.10(2)(b) (school year — beginning date — exemption)
14 references the definition of "trait or characteristic of the
15 student" contained in Code section 280.28. The bill makes
16 a conforming change to Code section 279.10(2)(b) to cite to
17 the definition of "trait or characteristic of the student"
18 contained in Code section 280.28, Code 2024.