

**Senate File 123 - Introduced**

SENATE FILE 123  
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SSB 1025)

**A BILL FOR**

1 An Act providing for immunity from civil liability for members  
2 and employees of the board of educational examiners.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 272.6 Immunities.

2 1. A person shall not be civilly liable as a result of the  
3 person's acts, omissions, or decisions that are reasonable and  
4 in good faith as a member of the board or as an employee or  
5 agent in connection with the person's duties.

6 2. A person shall not be civilly liable as a result  
7 of filing a report or complaint with the board or for the  
8 disclosure to the board or its agents or employees, whether or  
9 not pursuant to a subpoena of records, documents, testimony, or  
10 other forms of information in connection with proceedings of  
11 the board. However, such immunity from civil liability shall  
12 not apply if such an act is done with malice.

13 3. A person shall not be dismissed from employment or  
14 discriminated against by an employer for doing any of the  
15 following:

16 a. Filing a complaint with the board.

17 b. Participating as a member, agent, or employee of the  
18 board.

19 c. Presenting testimony or other evidence to the board.

20 4. An employer who violates this section shall be liable to  
21 a person aggrieved by such violation for actual and punitive  
22 damages plus reasonable attorney fees.

23 EXPLANATION

24 This bill provides that a person shall not be civilly liable  
25 for their actions in good faith as a member, employee, or agent  
26 of the board of educational examiners. Pursuant to the bill, a  
27 person shall not be civilly liable, as long as they do not act  
28 with malice, for filing a report or complaint with the board or  
29 disclosing to the board various forms of information. The bill  
30 provides that a person shall not be dismissed or discriminated  
31 against by an employer for their involvement with the board.  
32 The bill also provides that an employer who violates the terms  
33 of the bill shall be liable to the aggrieved person for actual  
34 and punitive damages plus reasonable attorney fees.