

Part 11 School Uniforms

53A-15-1101 Definitions.

As used in this part:

- (1) "Principal" includes the chief administrator of a school that does not have a principal.
- (2) "School" means a public school, including a charter school.
- (3) "School official" means the principal of a school or the local school board for a school district.
- (4) "School uniform" means student clothing conforming to a school uniform policy under this part, which may include a dress code, dress of designated colors, or a reasonable designated uniform of a particular style. A school uniform policy may not include very expensive or prescriptive clothing requirements.

Enacted by Chapter 190, 2006 General Session

53A-15-1102 Uniforms in schools -- Legislative finding -- Policies.

- (1) The Legislature finds that:
 - (a) each student should be allowed to learn in a safe environment which fosters the learning process and is free from unnecessary disruptions;
 - (b) the wearing of certain types of clothing may identify students as members of youth gangs and contribute to disruptive behavior and violence in the schools;
 - (c) school uniform policies may be part of an overall program to:
 - (i) improve school safety and discipline; and
 - (ii) help avoid the disruption of the classroom atmosphere and decorum and prevent disturbances among students; and
 - (d) school uniforms may:
 - (i) decrease violence and theft among students; and
 - (ii) foster and promote desirable school operating conditions and a positive educational environment in accordance with this part.
- (2) In accordance with Section 53A-15-1103, a school may adopt a school uniform policy that requires students enrolled at that school to wear a designated school uniform during the school day.
- (3) A school uniform policy shall:
 - (a) protect students' free exercise of religious beliefs;
 - (b) specify whether the uniform policy is voluntary or mandatory for students;
 - (c) specify whether or not the uniform policy has an opt-out provision in addition to the provisions under Subsection (5); and
 - (d) include a provision for financial assistance to families who cannot afford to purchase a required uniform, which may include:
 - (i) the school providing school uniforms to students;
 - (ii) the school making used school uniforms available to students; or
 - (iii) other programs to make school uniforms available to economically disadvantaged students.
- (4) A school uniform policy under this part is not considered a fee for either an elementary or a secondary school.
- (5) A school uniform policy shall include a provision allowing a principal at any time during the school year to grant an exemption from wearing a school uniform to a student because of extenuating circumstances.

- (6)
 - (a) If a school adopts a school uniform policy under this part, that school's governing body or local school board shall adopt local appellate procedures for school actions under this part, including a denial of an exemption requested under Subsection (5).
 - (b) A person may seek judicial review of an action under this part only after exhausting the remedies provided under this Subsection (6).

Enacted by Chapter 190, 2006 General Session

53A-15-1103 Uniforms in schools -- Policy approval.

- (1) The school uniform policy authorized in Section 53A-15-1102 may be adopted:
 - (a) for a charter school:
 - (i) by the governing body or administrator of the charter school in accordance with Subsection (2); or
 - (ii) by including the school uniform policy in the school's charter approved in accordance with Title 53A, Chapter 1a, Part 5, The Utah Charter Schools Act;
 - (b) for more than one school at the district level by a local school board in accordance with Subsection (2); or
 - (c) for a single school at the school level by the principal of the school in accordance with Subsection (2).
- (2) A school uniform policy adopted by an election is subject to the following requirements:
 - (a) the adopting authority shall hold a public hearing on the matter prior to formal adoption of the school uniform policy;
 - (b)
 - (i) the adopting authority shall hold an election for approval of a school uniform policy prior to its adoption and shall receive an affirmative vote from a majority of those voting at the election; and
 - (ii) only parents and guardians of students subject to the proposed school uniform policy may vote at the election, limited to one vote per family.
- (3)
 - (a) A local school board or principal is required to hold an election to consider adoption of a school uniform policy for an entire school district or an individual school if initiative petitions are presented as follows:
 - (i) for a school district, a petition signed by a parent or guardian of 20% of the district's students presented to the local school board; and
 - (ii) for an individual school, a petition signed by a parent or guardian of 20% of the school's students presented to the principal.
 - (b) The public hearing and election procedures required in Subsection (2) apply to Subsection (3).
- (4)
 - (a) The procedures set forth in Subsections (3) and (4) shall apply to the discontinuance or modification of a school uniform policy adopted under this section.
 - (b) A vote to discontinue an adopted school uniform policy may not take place during the first year of its operation.
- (5) The adopting authority shall establish the manner and time of an election required under this section.

Enacted by Chapter 190, 2006 General Session

