

1 **AMENDMENTS TO SCHOOL UNIFORM**

2 **STANDARDS**

3 2000 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Karen W. Morgan**

6 AN ACT RELATING TO PUBLIC SCHOOLS; REQUIRING AN ELECTION FOR THE  
7 ADOPTION OF A SCHOOL OR SCHOOL DISTRICT UNIFORM POLICY; CLARIFYING  
8 VOTING REQUIREMENTS; PROVIDING THAT SCHOOL UNIFORM POLICIES INCLUDE  
9 AN EXEMPTION PROVISION; AND MAKING CERTAIN TECHNICAL CHANGES.

10 This act affects sections of Utah Code Annotated 1953 as follows:

11 AMENDS:

12 **53A-15-602**, as enacted by Chapter 160, Laws of Utah 1994

13 *Be it enacted by the Legislature of the state of Utah:*

14 Section 1. Section **53A-15-602** is amended to read:

15 **53A-15-602. Uniforms in public schools -- Determination by school board or school**  
16 **-- Patron approval.**

17 (1) The Legislature recognizes that each student in the public schools should be allowed  
18 to learn in a safe environment which fosters the learning process and is free from unnecessary  
19 disruptions.

20 (2) The Legislature further recognizes that the wearing of certain types of clothing  
21 identifies students as members of youth gangs and has contributed to disruptive behavior and  
22 violence in the public schools.

23 (3) (a) Local school boards and [~~public schools~~] school principals may [~~adopt school dress~~  
24 ~~codes requiring all~~] require students enrolled at a public school to wear a designated uniform  
25 during the school day in order to help avoid the disruption of the classroom atmosphere and  
26 decorum and prevent disturbances among students.

27 (b) The [~~dress codes~~] uniform policy authorized in Subsection (3)(a) [~~may~~] shall be

28 adopted, if for more than one school, at the [school] district level by the school board and, if for  
29 a single school, at the school level by the principal of the school [as approved by a majority of the  
30 school directors or the school community council.] subject to the following requirements:

31 ~~[(c)]~~ (i) ~~[Adoption of a dress code under this section does not require approval from~~  
32 ~~parents or guardians of students, but]~~ the adopting authority shall hold a public hearing on the  
33 matter prior to formal adoption of the ~~[dress code:]~~ school uniform policy;

34 ~~[(ii)]~~ The adopting authority may require approval from the parents or guardians of a  
35 majority of its students in order to implement the ~~dress code.]~~

36 ~~[(iii)]~~ An election to consider disapproval of a dress code not formally approved by the  
37 parents or guardians of a majority of students subject to the dress code is required if a petition  
38 signed by a parent or guardian of 20% of the students is presented to the adopting authority within  
39 30 days after the dress code is adopted.]

40 (i) (A) the adopting authority shall hold an election for approval of a school uniform  
41 policy prior to its adoption and must receive an affirmative vote from a majority of those voting  
42 at the election; and

43 (B) only parents and guardians of students subject to the proposed uniform policy may vote  
44 at the election, limited to one vote per family.

45 ~~[(d)]~~ ~~An~~ (4) (a) A local school board or principal is required to hold an election to  
46 consider adoption of a school district or individual school [dress code is required] uniform policy  
47 if initiative petitions are presented as follows:

48 (i) for a district ~~[dress code]~~ uniform policy, a petition signed by a parent or guardian of  
49 20% of the district's students presented to the local school board; and

50 (ii) for an individual school, a petition signed by a parent or guardian of 20% of the  
51 school's students presented to the principal.

52 (b) The procedures required in Subsection (3)(b) apply to Subsection (4).

53 ~~[(e)]~~ (5) The procedures set forth in Subsections (3)~~[(c)]~~ and ~~[(3)(d)]~~ (4) shall apply to the  
54 discontinuance or modification of a ~~[dress code]~~ school uniform policy adopted under this section.

55 ~~[(f)]~~ (6) The adopting authority shall establish the manner and time of an election required  
56 under this section.

57 (7) A school uniform policy adopted under this section shall include a provision that would  
58 exempt a student from wearing a uniform at school if requested, in writing, by the student's parent

59 or guardian.

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**Legislative Review Note**  
**as of 1-24-00 8:21 AM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**