

AMENDMENTS TO SCHOOL UNIFORM

STANDARDS

2000 GENERAL SESSION

STATE OF UTAH

Sponsor: Karen W. Morgan

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

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

AMENDS:

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

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

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

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

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

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

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

(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 (ii) (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 \hat{h} ~~[[a majority]]~~ ~~[AT LEAST~~
 41b ~~60%]~~ \hat{h}

41a 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)~~[(e)]~~ 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.

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