? Approved for Filing: JLW ?
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1	SCHOOL UNIFORMS AMENDMENTS
2	2001 GENERAL SESSION
3	STATE OF UTAH
4	Sponsor: Karen W. Morgan
5	This act modifies provisions related to the State System of Public Education by providing
6	that a school uniform policy shall remain in place for at least a year after its formal
7	implementation. The act provides a window for students to opt out of participating in the
8	school uniform program.
9	This act affects sections of Utah Code Annotated 1953 as follows:
10	AMENDS:
11	53A-15-602, as last amended by Chapter 135, Laws of Utah 2000
12	Be it enacted by the Legislature of the state of Utah:
13	Section 1. Section 53A-15-602 is amended to read:
14	53A-15-602. Uniforms in public schools Determination by school board or school
15	Patron approval.
16	(1) The Legislature recognizes that each student in the public schools should be allowed
17	to learn in a safe environment which fosters the learning process and is free from unnecessary
18	disruptions.
19	(2) The Legislature further recognizes that the wearing of certain types of clothing
20	identifies students as members of youth gangs and has contributed to disruptive behavior and
21	violence in the public schools.
22	(3) (a) Local school boards and school principals may require students enrolled at a public
23	school to wear a designated uniform during the school day in order to help avoid the disruption of
24	the classroom atmosphere and decorum and prevent disturbances among students.
25	(b) The uniform policy authorized in Subsection (3)(a) shall be adopted, if for more than
26	one school, at the district level by the school board and, if for a single school, at the school level
27	by the principal of the school subject to the following requirements:

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28	(i) the adopting authority shall hold a public hearing on the matter prior to formal adoption
29	of the school uniform policy;
30	(ii) (A) the adopting authority shall hold an election for approval of a school uniform
31	policy prior to its adoption and must receive an affirmative vote from a majority of those voting
32	at the election; and
33	(B) only parents and guardians of students subject to the proposed uniform policy may vote
34	at the election, limited to one vote per family.
35	(4) (a) A local school board or principal is required to hold an election to consider
36	adoption of a school district or individual school uniform policy if initiative petitions are presented
37	as follows:
38	(i) for a district uniform policy, a petition signed by a parent or guardian of 20% of the
39	district's students presented to the local school board; and
40	(ii) for an individual school, a petition signed by a parent or guardian of 20% of the
41	school's students presented to the principal.
42	(b) The procedures required in Subsection (3)(b) apply to Subsection (4).
43	(5) (a) The procedures set forth in Subsections (3) and (4) shall apply to the discontinuance
44	or modification of a school uniform policy adopted under this section.
45	(b) A vote to discontinue an adopted school uniform policy may not take place during the
46	first year of its operation.
47	(6) The adopting authority shall establish the manner and time of an election required
48	under this section.
49	(7) (a) A school uniform policy adopted under this section shall include a provision that
50	would exempt a student from wearing a uniform at school if requested[,] in [writing,] a meeting
51	with the school principal or the principal's designee by the student's parent or guardian.
52	(b) The request under Subsection (7)(a) must be made:
53	(i) prior to the beginning of the school year for a student who is enrolled at the school at
54	the beginning of the school year; or
55	(ii) within 15 days from enrollment at the school for a student who enrolls during the

56 <u>school year.</u>

Legislative Review Note as of 12-14-00 9:23 AM

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

Office of Legislative Research and General Counsel