

SB0103S02 compared with SB0103

~~text~~ shows text that was in SB0103 but was deleted in SB0103S02.

text shows text that was not in SB0103 but was inserted into SB0103S02.

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Senator Karen Kwan proposes the following substitute bill:

STUDENT GRADUATION ATTIRE MODIFICATIONS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Karen {}Kwan

House Sponsor: { } Steve Eliason

LONG TITLE

General Description:

This bill allows individuals to wear cultural attire during graduation ceremonies.

Highlighted Provisions:

This bill:

- ▶ allows all public school students to wear items of religious or cultural significance as part of their graduation attire.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

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53G-4-414, Utah Code Annotated 1953

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

Section 1. Section **53G-4-414** is enacted to read:

53G-4-414. Religious or cultural attire at school graduation ceremonies.

(1) As used in this section:

(a) "Adornment" means something ~~{attached}~~ that a student attaches to {,} or {worn} wears with, but ~~{not replacing, the cap and gown customarily worn at school graduation ceremonies}~~ does not replace, graduation attire.

(b) "Cultural" means recognized practices and traditions of a certain group of people.

~~{2} An LEA governing board may not~~ c) "Graduation attire" means attire that an LEA requires a student to wear as part of the dress code for a graduation ceremony.

(d) "Graduation ceremony" means a high school graduation ceremony.

(2) A student may wear recognized items of cultural or religious significance as an adornment at a graduation ceremony.

(3) (a) Notwithstanding Subsection (2), an LEA may prohibit a student from wearing {traditional recognized objects of religious or cultural significance as an adornment at school graduation ceremonies.

~~—— (3) In determining whether an adornment is a recognized object of religious or cultural significance, the LEA governing board shall seek input from parents that are reflective of the members of the religious or cultural group that the object is associated with.~~

~~—— (4) This section does not:~~

~~—— (a) limit an LEA governing board's discretion and authority to prohibit~~ an item of adornment that is likely to cause a substantial disruption of, or material interference with, the graduation ceremony ~~;~~

~~—— (b) limit~~ ;

(b) Any prohibition imposed by an LEA on a student's item of cultural or religious significance worn as an adornment shall be by the least restrictive means necessary to accomplish a specifically identified compelling governmental interest.

(4) An individual may bring a violation of this section to the state board in accordance with the process described in Subsection 53E-3-401(8)(d).

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(5) Nothing in this section limits an LEA's authority related to student expression under applicable federal and state law ~~(, or,~~

~~(, or,~~ 6) Nothing in this section shall limit or impair the rights of a qualifying student under Section 53G-4-412 to wear tribal regalia to a graduation ceremony.