

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas *As Engrossed: S2/16/99 S2/18/99 S2/23/99 S3/1/99 H3/25/99*

2 82nd General Assembly

A Bill

Act 1301 of 1999

3 Regular Session, 1999

SENATE BILL 2

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5 By: Senator K. Smith

6 By: Representatives Bond, L. Thomas, T. Smith

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For An Act To Be Entitled

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"AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 6-18-102

11

REQUIRING LOCAL SCHOOL DISTRICTS TO VOTE ON THE

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ADOPTION OF A SCHOOL UNIFORM POLICY FOR K-12 STUDENTS;

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TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES."

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Subtitle

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"THE SCHOOL UNIFORM INITIATIVE ACT."

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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SECTION 1. Arkansas Code Annotated § 6-18-102 is amended to read as

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follows:

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"6-18-102. Legislative findings.

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(a) The General Assembly hereby finds and determines that the clothes

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and footwear worn by students in the public schools often preoccupy and

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distract students from their major purpose for being in school, that of

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becoming educated in math, science, English, history, and other subjects. The

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General Assembly further finds that student competition over clothes and

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footwear has, in several instances, led to violence and injuries during school

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hours; whereas, in those Arkansas schools that have adopted ~~a uniform dress~~

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~~code school uniforms~~, disparities in student socioeconomic levels are less

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obvious, and disruptive incidents are less likely to occur.

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(b)(1) The board of directors of a local school district ~~may~~ shall

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create an advisory committee composed of parents and students for the purpose

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of considering whether the district should adopt a uniform dress code for

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students.

1 (2) If the advisory committee recommends to the board that a
2 uniform dress code for students be adopted, and no uniform dress code is
3 adopted by the school board at least thirty (30) days prior to the filing
4 deadline for the annual school election and not less than five percent (5%) of
5 the qualified electors in the district the question of a uniform dress code
6 voted upon, the board may shall refer the issue of a dress code to the
7 qualified electors of the district at any school election during the 2000
8 annual school election. In addition to the 2000 annual election, the school
9 board may refer the issue of a dress code to the qualified electors of the
10 district at any subsequent school election.

11 ~~(c) Nothing in this section shall be construed as requiring the~~
12 ~~board of directors of a local school district to adopt a uniform dress code or~~
13 ~~to hold an election on the issue.~~

14 (3)(A) If a majority of the qualified electors of the district
15 voting thereon at the election shall vote FOR the adoption of a school uniform
16 policy, the board of directors shall prescribe appropriate school uniforms and
17 implement the policy.

18 (B) If a majority of the qualified electors of the district
19 voting thereon at the election vote AGAINST the adoption of a school uniform
20 policy, the board of directors may only refer the question again to the
21 qualified electors of the district after a minimum period of one (1) year.

22 (C)(i) After a school uniform policy has been implemented as
23 a result of the 2000 annual school election required by this section for a
24 minimum period of one (1) year, qualified electors of the district may, by
25 petition, have the question of continuing the school uniform policy voted upon
26 at the next school election.

27 (ii) The petition shall be signed by not less than
28 five percent (5%) of the qualified electors in the district.

29 (c) Any school uniform policy adopted by a school district shall
30 provide a provision for individual students to make application to opt out of
31 the uniform requirements with parental consent where no other reasonable
32 alternative placement for the student exists.

33 (d) Any school district which has adopted and implemented a district
34 policy to require a uniform dress code prior to the 2000 annual school
35 election, shall be exempt from the provisions of this section other than
36 subsection (g).

1 (e) Nothing in this act shall be construed to limit a school district's
2 or a particular school within a district's ability to adopt and implement a
3 school uniform policy. Any school district may implement a school uniform
4 policy without submitting the issue to the electors of the district.

5 (f) The Department of Education and educational cooperatives shall,
6 when possible, assist public schools by providing information regarding
7 uniform dress codes upon request from public school administrators.

8 (g) Within sixty (60) days after the 2000 annual school election, each
9 school district shall submit a letter to the Department of Education setting
10 forth the recommendation of the advisory committee, the action taken by the
11 school board regarding a uniform dress code as a result of the advisory
12 committee's recommendation, and the results of any election regarding a
13 uniform dress code.

14 (h) The Department of Education shall compile a report of the
15 information received from each school district and submit the report to the
16 Senate Education Committee and the House Education Committee prior to January
17 15, 2001.

18 (i) Qualified electors of the district may at anytime, by petition,
19 have the question of implementing a uniform dress code voted upon at the next
20 school election. The petition shall be signed by not less than five percent
21 (5%) of the qualified electors in the district.

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23 SECTION 2. All provisions of this Act of a general and permanent nature
24 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
25 Revision Commission shall incorporate the same in the Code.
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27 SECTION 3. If any provision of this Act or the application thereof to
28 any person or circumstance is held invalid, such invalidity shall not affect
29 other provisions or applications of the Act which can be given effect without
30 the invalid provision or application, and to this end the provisions of this
31 Act are declared to be severable.
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33 SECTION 4. All laws and parts of laws in conflict with this Act are
34 hereby repealed.

35 /s/ K. Smith, et al

36 APPROVED: 4/9/1999