

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: H3/16/11

A Bill

HOUSE BILL 1936

5 By: Representative T. Steele
6

For An Act To Be Entitled

8 AN ACT TO REQUIRE SCHOOL DISTRICTS TO PROHIBIT THE
9 *WEARING OF CLOTHING THAT EXPOSES UNDERWEAR, BUTTOCKS,*
10 *OR THE BREAST OF A FEMALE; AND FOR OTHER PURPOSES.*
11

Subtitle

12
13 *TO REQUIRE SCHOOL DISTRICTS TO PROHIBIT*
14 *THE WEARING OF CLOTHING THAT EXPOSES*
15 *UNDERWEAR, BUTTOCKS, OR THE BREAST OF A*
16 *FEMALE.*
17
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

SECTION 1. Legislative intent.

22
23 (a) The General Assembly finds that the wearing of clothing that
24 exposes underwear, buttocks, or the breast of a female by students in the
25 public schools often preoccupies and distracts students from their major
26 purpose for being in school, that of becoming educated in math, science,
27 English, history, and other subjects.

28 (b) The General Assembly further finds that student competition over
29 the manner in which clothing is worn could lead to violence and injuries
30 during school hours.

31 (c) The General Assembly further finds that, as part of their
32 preparation for students to enter the workforce, public schools should
33 encourage and train students to dress in a manner that would be acceptable in
34 the workplace.

35 (d) The General Assembly finds that prohibiting students from wearing,
36 while on the grounds of a public school during the regular school day and at



1 school-sponsored activities and events, clothing that exposes underwear,
2 buttocks, or the breast of a female will prevent disruptions in the learning
3 environment, advance the education of students, enhance the preparation of
4 students to enter the workforce, and make disruptive incidents of violence
5 less likely to occur.

6
7 SECTION 2. Arkansas Code § 6-18-503 is amended to read as follows:

8 6-18-503. Written student discipline policies required.

9 (a)(1)(A) Each school district in this state shall develop written
10 student discipline policies in compliance with the guidelines established by
11 the Department of Education and shall file such policies with the department.

12 (B) Guidelines shall include minimum standards of quality,
13 experimentation with innovative programs, and a system to judge the
14 effectiveness of the program.

15 (C) The discipline policy shall include provisions for:

16 (i) Placement of a student with disciplinary,
17 socially dysfunctional, or behavioral problems not associated with a
18 handicapping condition in an alternative learning environment provided by the
19 district; and

20 (ii) Expulsion from school for a period of not less
21 than one (1) year for possession of any firearm or other weapon prohibited
22 upon the school campus by law; provided, however, that the superintendent
23 shall have discretion to modify such expulsion requirement for a student on a
24 case-by-case basis.

25 (2) Behavioral problems shall include those at risk of not
26 satisfactorily completing a high school education.

27 (b)(1) A school district that authorizes use of corporal punishment in
28 its discipline policy shall include provisions for administration of the
29 punishment, including that it be administered only for cause, be reasonable,
30 follow warnings that the misbehavior will not be tolerated, and be
31 administered by a teacher or a school administrator and only in the presence
32 of a school administrator or his or her designee, who shall be a teacher or
33 administrator employed by the school district.

34 (2) As used in this section, "teachers and administrators" means
35 those persons employed by a school district and required to have a state-
36 issued certificate as a condition of their employment.

1 (c)(1) A school district shall include in its student discipline
2 policies a provision prohibiting students from wearing, while on the grounds
3 of a public school during the regular school day and at school-sponsored
4 activities and events, clothing that exposes underwear, buttocks, or the
5 breast of a female.

6 (2) Subdivision (c)(1) of this section shall not apply to a
7 costume or uniform worn by a student while participating in a school-
8 sponsored activity or event.

9 (3) A school district shall specify in its student discipline
10 policies the disciplinary actions that will be taken against a
11 student for a violation of subsection (c)(1) of this section.

12 (4) Subsection (c)(1) of this section shall not be enforced in a
13 manner that discriminates against a student on the basis of his or her race,
14 color, religion, sex, disability, or national origin.

15 ~~(e)~~(d) Any amendments or revisions to a school district's student
16 discipline policies shall be developed and adopted in the same manner as the
17 original policies required by § 6-18-502 and shall be consistent with the
18 guidelines established by the department.

19 ~~(d)~~(e) Any amendment or revision to the student discipline policies
20 adopted by a school district shall be submitted to the department within
21 thirty (30) days after the adoption of such amendment or revision.

22
23 /s/T. Steele
24
25
26
27
28
29
30
31
32
33
34
35
36