

ASSEMBLY SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE, Nos. 540 and 897 and ASSEMBLY, No. 920

STATE OF NEW JERSEY

ADOPTED MAY 30, 1996

**Sponsored by Assemblymen ROCCO, DORIA, Senators
Inverso, Lesniak, Ewing, and McGreevey**

1 AN ACT concerning school dress codes and supplementing chapter 11
2 of Title 18A of the New Jersey Statutes.

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. The Legislature finds and declares that many educators believe
8 that school dress can significantly influence pupil behavior and that
9 schools that have adopted dress codes, including dress codes which
10 require school uniforms and which prohibit clothing indicating
11 membership in certain gangs, experience greater school pride and
12 improved behavior in and out of the classroom. The Legislature
13 further finds that to assist in controlling the environment in public
14 schools, to facilitate and maintain an effective learning environment,
15 and to keep the focus of the classroom on learning, school districts
16 should be specifically authorized to implement uniform clothing
17 requirements for their students.

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19 2. a. A board of education may adopt a dress code policy which
20 may include a requirement that students wear a school uniform if
21 such a policy is requested by the principal, staff and parents of an
22 individual school and if the board determines that the policy will
23 enhance the school learning environment. Any policy adopted which
24 requires the wearing of a uniform shall include a provision to assist
25 economically disadvantaged students. The board shall hold a public
26 hearing prior to the adoption of the policy and shall not implement the
27 policy with less than three months notice to the parents or guardians
28 of the students. The specific uniform selected shall be determined by
29 the principal, staff, and parents of the individual school.

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31 b. The board of education shall provide a method whereby
32 parents may choose not to comply with an adopted school uniform
33 policy. A student shall not be penalized academically or otherwise
discriminated against nor denied admittance to school if the student's

1 parents choose not to comply with the school uniform policy.

2 c. A dress code policy adopted pursuant to this section shall not
3 preclude students who participate in a nationally recognized youth
4 organization which is approved by the board of education from
5 wearing organization uniforms to school on days that the organization
6 has scheduled a meeting.

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8 3. A board of education may adopt a dress code policy to prohibit
9 students from wearing, while on school property, any type of clothing,
10 apparel or accessory which indicates that the student has membership
11 in, or affiliation with, any gang associated with criminal activities. The
12 local law enforcement agency shall advise the board, upon its request,
13 of gangs which are associated with criminal activities.

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15 4. This act shall take effect immediately.

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18 STATEMENT

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20 This Assembly substitute authorizes a board of education to adopt
21 a dress code policy which may include a requirement that students
22 wear a school uniform if such a policy is requested by the principal,
23 staff and parents of an individual school and if the board determines
24 that the policy will enhance the school's learning environment. Any
25 policy adopted which requires the wearing of a school uniform must
26 include a provision to assist economically disadvantaged students.
27 Prior to the adoption of the policy, the board must hold a public
28 hearing and may not implement the policy with less than three months
29 notice to the parents or guardians of the students. Any uniform
30 selected would be determined by the principal, staff, and parents of the
31 individual school.

32 Under the substitute's provisions, a school board must provide a
33 method whereby parents may choose not to comply with an adopted
34 school uniform policy. A student would not be penalized academically
35 or otherwise discriminated against nor denied admittance to school if
36 the student's parents choose not to comply with the policy.

37 The substitute also provides that a board of education may adopt
38 a dress code policy to prohibit students from wearing, while on school
39 property, any type of clothing, apparel or accessory which indicates
40 that the student has membership in, or affiliation with, any gang
41 associated with criminal activities. The local law enforcement agency
42 is required to advise the board, upon its request, of gangs which are
43 associated with criminal activities.

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- 3 Permits a school board to adopt dress code policy.