

18A:11-1

LEGISLATIVE HISTORY CHECKLIST
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(School dress codes)

NJSA: 18A:11-1

LAWS OF: 1996 CHAPTER: 93

BILL NO: S540

SPONSOR(S): Inverso and Ewing

DATE INTRODUCED: March 7, 1996

COMMITTEE: ASSEMBLY: ---

SENATE: Education

AMENDED DURING PASSAGE: Yes Amendments during passage
denoted by superscript numbers.
AS/SCS for S540/S897 & A920 enacted.

DATE OF PASSAGE: ASSEMBLY: June 27, 1996

SENATE: May 16, 1996

DATE OF APPROVAL: July 26, 1996

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: No

SENATE: Yes 6-20-96 & 5-2-96

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: Yes

FOLLOWING WERE PRINTED:
REPORTS: No

HEARINGS: No

See newspaper clippings--attached:
"New law allows districts to enforce dress codes," 7-27-96, Home News.

KBP:pp

[First Reprint]
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.

3

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

6

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.

18

19 2. a. A board of education may adopt a dress code policy
20 ¹**[which may include a requirement] to require¹** that students wear a
21 school uniform if ¹**[such a] the¹** policy is requested by the principal,
22 staff and parents of an individual school and if the board determines
23 that the policy will enhance the school learning environment. Any
24 policy adopted which requires the wearing of a uniform shall include
25 a provision to assist economically disadvantaged students. The board
26 shall hold a public hearing prior to the adoption of the policy and shall
27 not implement the policy with less than three months notice to the

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SED committee amendments adopted June 20, 1996.

1 parents or guardians of the students. The specific uniform selected
2 shall be determined by the principal, staff, and parents of the individual
3 school.

4 b. The board of education ¹~~shall~~ may¹ provide a method
5 whereby parents may choose not to comply with an adopted school
6 uniform policy. ¹~~A~~ If the board provides such a method, a¹ student
7 shall not be penalized academically or otherwise discriminated against
8 nor denied admittance to school if the student's parents choose not to
9 comply with the school uniform policy.

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

15
16 3. A board of education may adopt a dress code policy to prohibit
17 students from wearing, while on school property, any type of clothing,
18 apparel or accessory which indicates that the student has membership
19 in, or affiliation with, any gang associated with criminal activities. The
20 local law enforcement agency shall advise the board, upon its request,
21 of gangs which are associated with criminal activities.

22
23 4. This act shall take effect immediately.

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28 _____
Permits a school board to adopt dress code policy.

SENATE, No. 540

STATE OF NEW JERSEY

INTRODUCED MARCH 7, 1996

By Senators INVERSO and EWING

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

3

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

6

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.

18

19 2. a. A board of education may adopt a dress code policy to
20 require that students wear a school uniform if the policy is requested
21 by the principal, staff and parents of an individual school and if the
22 board determines that the policy will enhance the school learning
23 environment. Any policy adopted which requires the wearing of a
24 uniform shall include a provision to assist economically disadvantaged
25 students. The board shall hold a public hearing prior to the adoption
26 of the policy and shall not implement the policy with less than six
27 months notice to the parents or guardians of the students. No State
28 funds may be used for the purchase of school uniforms. The specific
29 uniform selected shall be determined by the principal, staff, and parents
30 of the individual school.

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

36 c. A dress code policy adopted pursuant to this section shall not
37 preclude students who participate in a nationally recognized youth

1 organization which is approved by the board of education from
2 wearing organization uniforms to school on days that the organization
3 has scheduled a meeting.

4
5 3. A board of education may adopt a dress code policy to prohibit
6 students from wearing, while on school property, any type of clothing,
7 apparel or accessory which indicates that the student has membership
8 in, or affiliation with, any gang associated with criminal activities. The
9 local law enforcement agency shall advise the board, upon its request,
10 of gangs which are associated with criminal activities.

11
12 4. This act shall take effect immediately.

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15 STATEMENT

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17 This bill permits a board of education to adopt a dress code policy
18 to require that students wear a school uniform if the policy is
19 requested by the principal, staff and parents of an individual school
20 and if the board determines that the policy will enhance the school
21 learning environment. Any policy adopted which requires the wearing
22 of a uniform must include a provision to assist economically
23 disadvantaged students. Prior to the adoption of the policy, the board
24 must hold a public hearing and the board may not implement the policy
25 with less than six months notice to the parents or guardians of the
26 students. The bill prohibits the use of State funds for the purchase of
27 school uniforms. Any specific uniform selected would be determined
28 by the principal, staff, and parents of the individual school.

29 Under the bill, the school board is required to provide a method
30 whereby parents may choose not to comply with the school uniform
31 policy. A student may not be penalized academically or otherwise
32 discriminated against nor denied admittance to school if the student's
33 parents choose not to comply with the policy.

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

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45 _____
Permits a school board to adopt dress code policy.

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblymen **ROCCO** and **DORIA**

1 AN ACT authorizing local boards of education to adopt dress code
2 policies and supplementing chapter 11 of Title 18A of the New
3 Jersey Statutes.

4

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

7

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

18

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 the
21 board approves a plan that is initiated by an individual school's
22 principal, staff, and parents and determines that the policy will enhance
23 the school learning environment.

24 b. If the dress code policy adopted by a board of education
25 requires students to wear a school uniform, the specific uniform
26 selected shall be determined by the principal, staff, and parents of the
27 individual school.

28 c. The board of education shall provide a method whereby parents
29 may choose not to comply with an adopted school uniform policy. A
30 student shall not be penalized academically or otherwise discriminated
31 against nor denied admittance to school if the student's parents choose
32 not to comply with the school uniform policy. The board of education
33 shall continue to have responsibility for the appropriate education of
34 such students.

35 d. A dress code policy adopted pursuant to this section shall not

1 preclude students that participate in a nationally recognized youth
2 organization which is approved by the board of education from
3 wearing organization uniforms to school on days that the organization
4 has scheduled a meeting.

5

6 3. This act shall take effect immediately.

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STATEMENT

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11 This bill authorizes boards of education to adopt dress code policies
12 which may include a requirement that students wear a school uniform.
13 The board would adopt the policy if it approves a plan that is initiated
14 by an individual school's principal, staff and parents and determines
15 that the policy will enhance the school learning environment. If the
16 adopted policy requires students to wear uniforms, the specific
17 uniform shall be selected by the principal, staff and parents.

18 The bill provides that if a board of education adopts a dress code
19 policy which requires students to wear a school uniform, the board
20 shall provide a method whereby parents may choose not to comply
21 with the uniform policy and stipulates that a student shall not be
22 penalized academically or otherwise if his parents choose not to
23 comply with the uniform policy. Nothing in the bill is to preclude
24 students that participate in a nationally recognized youth organization
25 from wearing organization uniforms to school on the day of scheduled
26 meetings.

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29

30

31 Authorizes boards of education to adopt dress code policies.

SENATE EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY SUBSTITUTE FOR

SENATE COMMITTEE SUBSTITUTE FOR

SENATE, Nos. 540, 897 and ASSEMBLY, No. 920

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 20, 1996

The Senate Education Committee reports favorably Senate Bill Nos. 540, 897 and Assembly Bill No. 920 AS/ACS with committee amendments.

As amended, this Assembly substitute permits a board of education to adopt a dress code policy to require that students wear a school uniform if the policy is requested by the principal, staff and parents of an individual school and if the board determines that the policy will enhance the school's learning environment. Any policy adopted which requires the wearing of a uniform must include a provision to assist economically disadvantaged students. Prior to the adoption of the policy, the board must hold a public hearing, and the board may not implement the policy with less than three months notice to the parents or guardians of the students. Any specific uniform selected would be determined by the principal, staff, and parents of the individual school.

Under the substitute, the school board may provide a method whereby parents may choose not to comply with the school uniform policy. If the board provides such a method, a student would not be penalized academically or otherwise discriminated against nor denied admittance to school if the student's parents choose not to comply with the policy.

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

An amendment was adopted which makes optional, rather than mandatory, the provision by a board of education for a method whereby parents may choose not to comply with the school uniform policy.

As amended, this substitute is identical to S-1309.

SENATE EDUCATION COMMITTEE

STATEMENT TO

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

STATE OF NEW JERSEY

DATED: MAY 2, 1996

The Senate Education Committee reports favorably a Senate Committee Substitute for Senate Bills Nos. 540 and 897 and Assembly No. 920.

This committee substitute permits a board of education to adopt a dress code policy to require that students wear a school uniform if the policy is requested by the principal, staff and parents of an individual school and if the board determines that the policy will enhance the school's learning environment. Any policy adopted which requires the wearing of a uniform must include a provision to assist economically disadvantaged students. Prior to the adoption of the policy, the board must hold a public hearing, and the board may not implement the policy with less than three months notice to the parents or guardians of the students. Any specific uniform selected would be determined by the principal, staff, and parents of the individual school.

Under the substitute, the school board may provide a method whereby parents may choose not to comply with the school uniform policy. If the board provides such a method, a student would not be penalized academically or otherwise discriminated against nor denied admittance to school if the student's parents choose not to comply with the policy.

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

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OFFICE OF THE GOVERNOR NEWS RELEASE

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 609-777-2600

TRENTON, NJ 08625
RELEASE: Friday
 July 26, 1996

Gov. Christie Whitman today signed a number of bills including legislation which allows, but does not require, school boards to adopt policies requiring students to wear school uniforms.

The Governor signed **Assembly Committee Substitute for S-540 and 897 and A-920**, which permits a board of education to adopt a dress code policy to require students to wear school uniforms if the policy is requested by the principal, staff and parents and if the board determines that the policy will enhance the school's learning environment. Any policy that is adopted must include a provision to assist economically disadvantaged students.

"This legislation gives schools and parents another tool to focus the attention of students on learning, rather than on what they and their classmates are wearing" said Gov. Whitman.

The bill requires that a board of education must hold a public hearing prior to the adoption of the policy and that parents must be given three months' notice prior to its implementation. The specific uniform to be worn should be determined by the principal, staff and parents.

School boards are also authorized by the bill to adopt a dress code policy to prohibit students from wearing, while on school grounds, any type of clothing, apparel or accessory which indicates that the student is a member of, or affiliated with, any gang associated with criminal activities.

The legislation was sponsored by Assemblymen John Rocco (R-Camden) and Joseph Doria (D-Hudson) and Senators Peter Inverso (R-Mercer/Middlesex), Raymond Lesniak (D-Union), John Ewing (R-Morris/Somerset) and James McGreevey (D-Middlesex).

Gov. Whitman also signed legislation repealing an existing law which prohibits students from possessing paging devices in schools.

“Pagers are now commonly used by parents to stay in touch with their children,” said Gov. Whitman. “This legislation enhances the ability of families to maintain contact during the day.”

The bill, **Assembly Committee Substitute for A-1364 and 889/S-534**, provides that school officials may not prohibit a student from possessing a paging device while on school property if the student’s parent notifies the school in writing that the student has permission to possess the device. The prohibition is also lifted if the student is an active member of a volunteer fire company or first aid squad and the chief executive of the company or squad states that the student is required to respond to emergencies.

The legislation was sponsored by Assemblymen Gary Stuhltrager (R-Salem/Cumberland/Gloucester) and Scott Garrett (R-Sussex/Hunterdon/Morris) and Senators Louis Bassano (R-Essex/Union) and Joseph Bubba (R-Essex/Passaic).

Gov. Whitman also signed the following legislation:

S-1025/A-1892, sponsored by Senators William Haines (R-Atlantic/Burlington/Camden) and John Adler (D-Camden) and Assemblymen John Rocco (R-Camden) and Joseph Doria (D-Hudson), provides that a school district which meets the requirements of existing law and terminates its current sending-receiving relationship shall be admitted to an existing regional school district upon adoption of a resolution by the regional district, without the need for a special election.

S-129/A-1252, sponsored by Senator Joseph Kyrillos (R-Middlesex/Monmouth) and Assembly Members Joseph Azzolina (R-Middlesex/Monmouth) and Joann H. Smith (R-Middlesex/Monmouth), shortens the pension marriage requirement for widows and widowers of the Police and Firearms Retirement System (PFRS) from two years to one year. Additionally, this bill eliminates the requirement that widowers be dependent on members of PFRS to qualify for pension benefits.

A-265/S-912, sponsored by Assemblymen Christopher Bateman (R-Morris/Somerset) and Walter Kavanaugh (R-Morris/Somerset) and Senators John Ewing (R-Morris/Somerset) and James Cafiero (R-Cape May/Atlantic/Cumberland), allows municipalities to waive construction permit fees and site plan review fees for persons who promote accessibility for disabled persons.